

square miles in 1958, an increase of 81 per cent.

It is during this same period that the efficiency of the Chicago sewage treatment fell dramatically. I submit therefore that it is partly because of this expansion program, and the resultant fall in sanitary efficiency, that Chicago wants more water, and is now coming to Congress for aid. But it is presumptuous for Chicago to believe that the expansion program of the sanitary district, however meritorious it may be, should be financed by the other Lake States.

Mr. Chairman, and members of the subcommittee, let me say this in conclusion: Additional diversion of Lake Michigan waters has no justification either in law or in equity; it is contrary to the interests of the other Lake States and contrary to the tradition of close and friendly relation with our Canadian neighbors; and finally, such diversion for the treatment of sewage is certainly, from a scientific and water resources point of view which must consider not only the needs of today but also the demands of tomorrow, a very uneconomic and unsound utilization of this generous gift of nature—the waters of the Great Lakes.

### A New Citizen at 100

#### EXTENSION OF REMARKS

OF

#### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1959

Mr. PUCINSKI. Mr. Speaker, on August 15, 1959, Mrs. Mary Poburka will celebrate her 100th birthday and will have been a citizen of the United States for 5 days. The realization of this dream of citizenship is largely due to

the efforts of Mrs. Anna Strojny, one of my constituents and one of the truly sincere patriots of our Nation. Mrs. Strojny has helped thousands of people to achieve citizenship. When she learned of Mrs. Poburka's desire to become an American citizen before she died, she immediately assumed the task of seeing to it that Mrs. Poburka received the proper instruction in English and American history, and she personally contacted the Immigration Department to expedite Mrs. Poburka's application.

Mrs. Poburka, a resident of this country since 1914, left Poland with her husband in 1913, intending to sail to Brazil, where free land awaited potential settlers. Mr. Poburka, their two sons, and three daughters went to Brazil. Mrs. Poburka and four other daughters came to America.

In the long years that followed, Mrs. Poburka never had the opportunity to learn English. Her family worked, those about her spoke Polish, and the language of her adopted country was alien to her. Now her family is scattered throughout North and South America and she has declared her desire to become a full-fledged participant in our national history.

"They didn't realize until recently how much I wanted to become a citizen," she says.

Now, thanks to the help and assistance of the immigration and naturalization personnel and the technical and moral support of her patriotic friend, Mrs. Poburka is within sight of her long-awaited goal. I want to take the opportunity to wish her a very happy birthday, her first as a fellow Ameri-

can, and to wish her full enjoyment of the privileges guaranteed in her new role.

And I should also like to inject a word of praise for the devotion and sincere dedication to freedom demonstrated by Mrs. Anna Strojny, Americanization teacher. I have never met an individual who more personifies the meaning of "citizen" than this noble woman whom I am fortunate enough to represent in Congress. I stand in awe of her accomplishments and I am sincerely proud that she has chosen to live in the 11th Congressional District.

Mrs. Strojny is indeed a dedicated American. Even though, for several years now, Mrs. Strojny has herself been an invalid, due to a severe attack of arthritis, she has not in any way impeded her efforts to help immigrants become American citizens.

This wonderful woman has helped more than 12,000 immigrants become American citizens through her unselfish efforts and adherence to American ideals. In 1950, she was decorated for her inspiring contributions to foster Americanism. During World War II and to this day, as honorary president of the Mothers of World War II, Mrs. Strojny continues to organize visits to veterans hospitals in the Chicago area and helps make the lot of our wounded veterans a great deal more pleasant.

Mrs. Strojny indeed exemplifies the very essence of all that makes America a great Nation. I am sure she will share with Mrs. Poburka the pride of citizenship on August 15, and God grant that Mrs. Strojny may continue her splendid service to her country for many years to come.

## HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 14, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 12: 17: *Provide things that are honest in the sight of all men.*

Almighty God, we acknowledge gratefully that Thy concerns and love for needy humanity are universal and limitless.

May we go forth into the hours of this new day, each seeking Thy divine guidance, as we try to find an honest solution for the many difficult problems in our human relationships.

Grant that, in our search for that which is helpful and true, we may have regard and respect for the points of view of others.

Give us the wisdom and grace to credit them with having ideas and opinions, feelings and loyalties which deserve to be consulted and considered.

Inspire us with the courage to detest and destroy everything that is wrong in our social order.

May we continue to pray and labor for the dawning of that day when there shall be a civilization more noble than the world has ever known.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7650. An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 812. An act to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; and S. 1105. An act to improve the land tenure patterns on the Fort Belknap Reservation.

The message also announced that the Senate agrees to the amendment of the

House to a bill of the Senate of the following title:

S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

#### LEGISLATIVE APPROPRIATION BILL, 1960

Mr. NORRELL. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

#### LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1950

The SPEAKER. The unfinished business is the reading of the engrossed copy of the bill (H.R. 8342), to provide for the reporting and disclosure of certain financial transactions and administrative

practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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#### *Title VII—Amendments to the Labor Management Relations Act, 1947, as amended*

- Sec. 701. Federal-State jurisdiction.
- Sec. 702. Building and construction industry.
- Sec. 703. Elections during strike.

- Sec. 704. Vacancy in office of General Counsel.
- Sec. 705. Boycotts and recognition picketing.
- Sec. 706. Effective date of amendments.

#### *Short title*

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

#### *Declaration of findings, purposes, and policy*

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the markets for goods flowing into or from the channels of commerce.

#### *Definitions*

SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343).

(c) "Industry affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Persons" includes one or more individuals, labor organizations, partnerships,

associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.



(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) The term "officer, agent, shop steward, or other representative", when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

#### TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

##### Bill of Rights

SEC. 101. (a) (1) **EQUAL RIGHTS.**—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) **FREEDOM OF SPEECH AND ASSEMBLY.**—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided*, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

(3) **DUES, INITIATION FEES, AND ASSESSMENTS.**—Except in the case of a federation of national or international labor organiza-

tions, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided*, That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

(4) **PROTECTION OF THE RIGHT TO SUE.**—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further*, That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) **SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.**—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

##### Civil enforcement

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

##### Retention of existing rights

SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any

State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

##### Right to copies of collective bargaining agreements

SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

##### Information as to Act

SEC. 105. Every labor organization shall inform its members concerning the provisions of this Act.

#### TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

##### Report of labor organizations

SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization

files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than \$10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than \$250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforceable at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (1) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with section 9 (f), (g), (h)".

#### *Report of officers and employees of labor organizations*

SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or

equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

#### *Report of employers*

SEC. 203. (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise of agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended; or

(2) any payment (including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by this

Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees; or

(3) any payment (including reimbursed expenses) to a labor relations consultant or other person pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, or (B) procuring confidential information from other employees of such employer concerning the exercise of such rights; or

(4) any payment (including reimbursed expenses) to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individual, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, or agreement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person engaged in providing services to an employer as a labor relations consultant pursuant to any agreement or arrangement under which in any fiscal year he received a payment from an employer which must be reported by such employer under the provisions of subsection (a) (3) or (4), shall file a report with the Secretary in a form prescribed by him, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees of such employer to whom compensation was paid under subsection (a) (3), and the name of the agency or instrumentality providing services under subsection (a) (4), and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

(c) Nothing contained in this section shall be construed as an amendment to, modification of, or limitation upon, the rights protected by section 8(c) of the National Labor Relations Act, as amended, nor shall any person be required to file a report with the Secretary in regard to any matter protected by section 8(c) of such Act.

(d) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, would, under section 8(a) of such Act, constitute an unfair labor practice.

#### *Attorney-client communications exempted*

SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar in any State, or any client of such an attorney, to include in any report required to be filed pursuant to the provisions of this Act any information which is confidential between the attorney and such client in the course of a legitimate attorney-client relationship, including but not limited to the existence



of the relationship of attorney and client, the financial details thereof, or any information obtained, advice given, or activities carried on by the attorney within the scope of the legitimate practice of law.

#### *Reports made public information*

SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203, shall be public information.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

#### *Retention of records*

SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

#### *Effective date*

SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

#### *Rules and regulations*

SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In

exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

#### *Criminal provisions*

SEC. 209. (a) Any person who willfully violates this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

#### *Civil enforcement*

SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

### TITLE III—TRUSTEESHIPS

#### *Reports*

SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semi-annually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization

which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of sections 201 (c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

(c) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

#### *Purposes for which a trusteeship may be established*

SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

#### *Unlawful acts relating to labor organization under trusteeship*

SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided*, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

#### *Enforcement*

SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

#### *Report to Congress*

SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

#### *Complaint by Secretary*

SEC. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided*, That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

#### *TITLE IV—ELECTIONS*

##### *Terms of office; election procedures*

SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing. Every bona fide candidate shall have the right to inspect and copy a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to

be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than 45 days and not less than 15 days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

#### *Enforcement*

SEC. 402. (a) A member of a labor organization—

(1) who is aggrieved by any violation of section 401, and

(2) who (A) has exhausted the reasonable remedies available under the constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate, including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(b) For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

#### *Frequency of elections*

SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

#### *Effective date*

SEC. 404. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the



labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

**TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS**  
*Fiduciary responsibility of officers of labor organizations*

SEC. 501. (a) The officers, agents, shop stewards, and other representatives of labor organizations occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with its duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue to recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

*Bonding*

SEC. 502. (a) Every officer, agent, shop steward, or other representative or employee of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed \$5,000 in value), or of a trust in which a labor organization is interested, who handles funds or

other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than \$1,000, and in the case of an international labor organization or of a trust in which a labor organization is interested, not less than \$10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6-13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

*Loans to officers of labor organizations*

SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of \$2,500.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

*Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment*

SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year pe-

riod, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

*Amendment to section 302, Labor Management Relations Act, 1947*

SEC. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"Sec. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided*, That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties including acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided*, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs:

*Provided*, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

#### TITLE VI—MISCELLANEOUS PROVISIONS

##### Investigations

SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

##### Extortionate picketing

SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both.

##### Retention of rights under other Federal and State laws

SEC. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V (except section 505), or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

##### Enactment and enforcement of State laws

SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

##### Service of process

SEC. 605. For the purposes of this Act, service of summons, subpoena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

##### Administrative Procedure Act

SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the

issuance, amendment, or rescission of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

##### Other agencies and departments

SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

##### Criminal contempt

SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

##### Prohibition on certain discipline by labor organization

SEC. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

##### Deprivation of rights under act by violence

SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

##### Separability provisions

SEC. 611. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

#### TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

##### Federal-State jurisdiction

SEC. 701. Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c) (1) The Board, in its discretion, may, by rule of decision or by published rules



adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

#### *Building and construction industry*

SEC. 702. (a) Paragraph (1) of subsection (c) of section 9 of the National Labor Relations Act as amended, is amended by inserting the word "or" after the semicolon at the end of clause (B) and adding the following new clause:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;"

(b) Such paragraph (1) is further amended by inserting a colon before the period at the end thereof and adding the following language: "Provided, That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further*, That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)."

#### *Elections during strike*

SEC. 703. The second sentence of section 9(c)(3) of the National Labor Relations Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: "Provided, That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike by any person other than the bargaining representative shall issue prior to the termination of such strike as determined by the Board or the expiration of a six-month period from the commencement of such strike (or a twelve-month period if the petition is filed by an employer), whichever occurs sooner."

#### *Vacancy in office of General Counsel*

SEC. 704. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have

been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

#### *Boycotts and recognition picketing*

SEC. 705. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization;

"(B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further*, That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful, any strike against, or a refusal to perform services for any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act or in violation of a collective bargaining agreement, if such strike was ratified or approved by the representatives of such employees whom such employer is required to recognize under this Act, and the refusal is limited to services which would ordinarily be performed by the striking employees."

(b)(1) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforceable and void."

(2) Any contract or agreement between an employer and a labor organization heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforceable and void.

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective-bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where the labor organization cannot demonstrate that it has a sufficient showing of interest on the part of the employees to support a petition for an election under section 9(c), or

"(D) where such picketing has been engaged in for a reasonable period of time (not exceeding thirty days) and at the expiration of which period no petition under section 9(c) has been filed.

Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section (8)(b)."

(d) Section 10(1) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)", the words "or section 8(e) or section 8(b)(7)."

(e) Section 303(a) of the Labor-Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) or section 8(b)(7) of the National Labor Relations Act, as amended."

#### *Priority in case handling*

SEC. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (l)."

#### *Effective date of amendments*

SEC. 707. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act, and no provision of this title shall be deemed to make an unfair labor practice any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

Mr. BARDEN (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the engrossed copy be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The question is on the passage of the bill.

Mr. KEARNS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KEARNS. Mr. Speaker, speaking to the motion, the reason I am making this motion to recommit is because I have a bill of my own, H.R. 7265, which I thoroughly believe in and which was not considered. Therefore I am opposed to the bill.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. KEARNS moves to recommit the bill H.R. 8342 to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, to the Committee on Education and Labor.

Mr. BARDEN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Messrs. ZELENO and DINGELL) there were—yeas 71, noes 146.

Mr. DINGELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 149, nays 279, answered "present" 1, not voting 5, as follows:

[Roll No. 131]

YEAS—149

Addonizio	Foley	Marshall
Albert	Forand	Morrow
Anderson, Mont.	Friedel	Metcalfe
Anfuso	Gallagher	Meyer
Ashley	Garmatz	Miller, Clem
Bailey	Gialmo	Miller, George P.
Barr	Granahan	Montoya
Barrett	Gray	Moore
Bennett, Mich.	Green, Oreg.	Moorhead
Blatnik	Green, Pa.	Morgan
Boland	Hagen	Morris, Okla.
Bolling	Hargis	Moss
Bowles	Harmon	Multer
Boyle	Hays	Murphy
Brademas	Healey	Nix
Bray	Hogan	O'Brien, Ill.
Brown, Mo.	Holifield	O'Hara, Ill.
Buckley	Holland	O'Hara, Mich.
Burdick	Holtzman	O'Neill
Burke, Mass.	Irwin	Oliver
Byrne, Pa.	Johnson, Calif.	Perkins
Carnahan	Johnson, Md.	Philbin
Celler	Johnson, Wis.	Porter
Clark	Karsten	Powell
Cohelan	Karth	Price
Daddario	Kasem	Prokop
Daniels	Kastenmeier	Pucinski
Dawson	Kearns	Quigley
Delaney	Kee	Rabaut
Dent	Kelly	Randall
Denton	Keogh	Reuss
Diggs	King, Calif.	Rhodes, Pa.
Dingell	Kirwan	Rivers, Alaska
Dollinger	Kluczynski	Rodino
Donohue	Kowalski	Rooney
Doyle	Lane	Roosevelt
Dulski	Libonati	Rostenkowski
Farbstein	McCormack	Roush
Feighan	McFall	Santangelo
Fino	Macdonald	Saund
Flood	Machrowicz	Shelley
Flynn	Mack, Ill.	Sheppard
Fogarty	Madden	Shipley
	Magnuson	

Sisk  
Slack  
Spence  
Staggers  
Sullivan  
Teller  
Thomas

Thompson, N.J.  
Toll  
Tollefson  
Ullman  
Vanik  
Walter  
Wampler

NAYS—279

Abbott	Fenton	Moeller
Abernethy	Fisher	Monagan
Adair	Flynt	Morris, N. Mex.
Alexander	Ford	Morrison
Alford	Forrester	Moulder
Alger	Fountain	Mumma
Allen	Frazier	Murray
Andersen, Minn.	Frelinghuysen	Natcher
Andrews	Fulton	Nelsen
Arends	Gary	Norblad
Ashmore	Gathings	Norrell
Aspinall	Gavin	O'Brien, N.Y.
Auchincloss	George	O'Konski
Avery	Glenn	Osmer
Ayres	Goodell	Ostertag
Baker	Grant	Passman
Baldwin	Griffin	Patman
Barden	Griffiths	Pelly
Baring	Gross	Pfost
Barry	Gubser	Pilcher
Bass, N.H.	Haley	Pillion
Bass, Tenn.	Hall	Pirnie
Baumhart	Halleck	Poage
Becker	Halpern	Poff
Beckworth	Hardy	Preston
Belcher	Harris	Quile
Bennett, Fla.	Harrison	Rains
Bentley	Hebert	Ray
Berry	Hechler	Reece, Tenn.
Betts	Hemphill	Rees, Kans.
Blitch	Henderson	Rhodes, Ariz.
Boggs	Herlong	Riehlman
Bolton	Hess	Riley
Bonner	Hiestand	Rivers, S.C.
Bosch	Hoeven	Roberts
Bow	Hoffman, Ill.	Robison
Breeding	Hoffman, Mich.	Rogers, Colo.
Brewster	Holt	Rogers, Fla.
Brock	Horan	Rogers, Mass.
Brooks, La.	Hosmer	Rogers, Tex.
Brooks, Tex.	Huddleston	Rutherford
Broomfield	Hull	St. George
Brown, Ga.	Ikard	Schenck
Brown, Ohio	Jackson	Scherer
Broyhill	Jarman	Schwengel
Budge	Jennings	Scott
Burke, Ky.	Jensen	Selden
Burleson	Johansen	Short
Bush	Johnson, Colo.	Sikes
Byrnes, Wis.	Jonas	Siler
Cahill	Jones, Ala.	Simpson, Ill.
Cannon	Jones, Mo.	Simpson, Pa.
Carter	Judd	Smith, Calif.
Casey	Keith	Smith, Iowa
Cederberg	Kilburn	Smith, Kans.
Chamberlain	Kilday	Smith, Miss.
Chelf	Kilgore	Smith, Va.
Chenoweth	King, Utah	Springer
Chipperfield	Kitchin	Steed
Church	Knox	Stratton
Coad	Lafore	Stubblefield
Coffin	Laird	Taber
Collier	Landrum	Taylor
Colmer	Langen	Teague, Calif.
Conte	Lankford	Teague, Tex.
Cook	Latta	Thompson, Tex.
Coolley	Lennon	Thomson, Wyo.
Cornett	Lesinski	Thornberry
Cramer	Levering	Trimble
Cunningham	Lindsay	Tuck
Curtin	Lipscomb	Udall
Curtis, Mass.	Loser	Utt
Curtis, Mo.	McCulloch	Van Pelt
Dague	McDonough	Van Zandt
Davis, Ga.	McDowell	Vinson
Davis, Tenn.	McGinley	Wainwright
Derounian	McGovern	Wallhauser
Derwinski	McIntire	Watts
Devine	McMillan	Weaver
Dixon	McSweeney	Weis
Dooley	Mack, Wash.	Wharton
Dorn, N.Y.	Mahon	Whitener
Dorn, S.C.	Mailliard	Whitten
Dowdy	Martin	Widnall
Downing	Mason	Williams
Durham	Matthews	Willis
Dwyer	May	Wilson
Edmondson	Meador	Winstead
Everett	Michel	Wolf
Evins	Miller, N.Y.	Wright
Fallon	Milliken	Young
Fascell	Mills	Younger
	Minshall	
	Mitchell	

ANSWERED "PRESENT"—1

Saylor

NOT VOTING—5

Boykin  
Canfield  
Elliott  
Thompson, La.  
Westland

So the motion to recommit was rejected.

The Clerk announced the following pair:

Mr. Saylor for, with Mr. Westland against.

Mr. SAYLOR. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. WESTLAND], who if present would vote "nay." Therefore I withdraw my vote of "yea" and vote "present."

Mr. BREEDING, Mr. GEORGE, and Mr. MOULDER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. ROOSEVELT. Mr. Speaker, on this I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 303, nays 125, answered "present" 2, not voting 4, as follows:

[Roll No. 132]

YEAS—303

Abbott	Chenoweth	Harris
Abernethy	Chipperfield	Harrison
Adair	Church	Hebert
Albert	Clark	Hechler
Alexander	Coad	Hemphill
Alford	Coffin	Henderson
Alger	Collier	Herlong
Allen	Colmer	Hess
Andersen, Minn.	Conte	Hiestand
Andrews	Cook	Hoeven
Arends	Coolley	Hoffman, Ill.
Ashley	Corbett	Hoffman, Mich.
Ashmore	Cramer	Holt
Aspinall	Cunningham	Horan
Auchincloss	Curtin	Hosmer
Avery	Curtis, Mass.	Huddleston
Ayres	Curtis, Mo.	Hull
Baker	Dague	Ikard
Baldwin	Davis, Ga.	Jackson
Barden	Davis, Tenn.	Jarman
Baring	Derounian	Jennings
Barr	Derwinski	Jensen
Barry	Devine	Johansen
Bass, N.H.	Dixon	Johansen, Colo.
Bass, Tenn.	Dooley	Johnson, Md.
Bates	Dorn, N.Y.	Jonas
Baumhart	Dorn, S.C.	Jones, Ala.
Becker	Dowdy	Jones, Mo.
Belcher	Downing	Judd
Bennett, Fla.	Doyle	Keith
Bentley	Durham	Kilburn
Berry	Dwyer	Kilday
Betts	Edmondson	Kilgore
Blitch	Everett	King, Utah
Boggs	Evins	Kitchin
Bolton	Fallon	Knox
Bonner	Fascell	Lafore
Bosch	Fenton	Laird
Bow	Fino	Landrum
Boykin	Fisher	Langen
Bray	Flynt	Lankford
Breeding	Fogarty	Latta
Brewster	Forand	Lennon
Brock	Ford	Lesinski
Brooks, La.	Forrester	Levering
Brooks, Tex.	Fountain	Lindsay
Broomfield	Frazier	Lipscomb
Brown, Ga.	Frelinghuysen	Loser
Brown, Mo.	Friedel	McCulloch
Brown, Ohio	Fulton	McDonough
Broyhill	Gary	McDowell
Budge	Gathings	McGinley
Burke, Ky.	Gavin	McGovern
Burleson	George	McIntire
Bush	Glenn	McMillan
Byrnes, Wis.	Goodell	McSweeney
Cahill	Grant	Mack, Ill.
Cannon	Griffin	Mack, Wash.
Carnahan	Griffiths	Mahon
Carter	Gross	Mailliard
Casey	Gubser	Martin
Cederberg	Haley	Mason
Chamberlain	Hall	Matthews
Chelf	Halleck	May
	Halpern	Meador
	Hardy	Morrow



Michel  
Miller, N.Y.  
Milliken  
Mills  
Minshall  
Mitchell  
Moeller  
Monagan  
Moore  
Morris, N. Mex.  
Morris, Okla.  
Morrison  
Moulder  
Mumma  
Murray  
Natcher  
Neisen  
Norblad  
Norrell  
O'Brien, N.Y.  
O'Konski  
Osmer  
Ostertag  
Passman  
Patman  
Pelly  
Prest  
Plicher  
Pillion  
Pirnie  
Poage  
Poff  
Preston  
Quie  
Quigley  
Rains

Randall  
Ray  
Reece, Tenn.  
Rees, Kans.  
Rhodes, Ariz.  
Riehlman  
Riley  
Rivers, S.C.  
Roberts  
Robison  
Rogers, Colo.  
Rogers, Fla.  
Rogers, Mass.  
Rogers, Tex.  
Roush  
Rutherford  
St. George  
Schenck  
Scherer  
Schwengel  
Scott  
Selden  
Short  
Sikes  
Siler  
Simpson, Ill.  
Simpson, Pa.  
Slack  
Smith, Calif.  
Smith, Iowa  
Smith, Kans.  
Smith, Miss.  
Smith, Va.  
Spence  
Springer  
Steed

Stratton  
Stubblefield  
Taber  
Teague  
Teague, Calif.  
Teague, Tex.  
Thompson, Tex.  
Thomson, Wyo.  
Thornberry  
Tollefson  
Trimble  
Tuck  
Utt  
Van Pelt  
Van Zandt  
Vinson  
Wainwright  
Wallhauser  
Walter  
Watts  
Weaver  
Wells  
Wharton  
Whitener  
Whitten  
Widnall  
Williams  
Willis  
Wilson  
Winstead  
Wolf  
Wright  
Young  
Younger

## NAYS—125

Addonizio  
Anderson,  
Mont.  
Anfuso  
Bailey  
Barnett  
Bennett, Mich.  
Blatnik  
Boland  
Bolling  
Bowles  
Boyle  
Brademas  
Buckley  
Burdick  
Burke, Mass.  
Byrne, Pa.  
Celler  
Cohelan  
Daddario  
Daniels  
Dawson  
Delaney  
Dent  
Denton  
Diggs  
Dingell  
Dollinger  
Donohue  
Duiski  
Farbstein  
Feighan  
Flynn  
Gallagher  
Garmatz  
Glaimo  
Granahan  
Gray  
Green, Oreg.  
Green, Pa.  
Hagen  
Hargis

Harmon  
Hays  
Healey  
Hogan  
Hollifield  
Holland  
Holtzman  
Irwin  
Johnson, Calif.  
Johnson, Wis.  
Karsten  
Karth  
Kasem  
Kastenmeier  
Kearns  
Kee  
Kelly  
Keogh  
King, Calif.  
Kirwan  
Kluczynski  
Kowalski  
Lane  
Libonati  
McCormack  
McFall  
Macdonald  
Machrowicz  
Madden  
Magnuson  
Marshall  
Metcalf  
Meyer  
Miller, Clem  
Miller,  
George P.  
Montoya  
Moorhead  
Morgan  
Moss  
Multer  
Murphy  
Nix

O'Brien, Ill.  
O'Hara, Ill.  
O'Hara, Mich.  
O'Neill  
Oliver  
Perkins  
Philbin  
Porter  
Powell  
Price  
Propok  
Pucinski  
Rabaut  
Reuss  
Rhodes, Pa.  
Rivers, Alaska  
Rodino  
Rooney  
Roosevelt  
Rostenkowski  
Santangelo  
Saund  
Shelley  
Sheppard  
Shipley  
Sisk  
Staggers  
Sullivan  
Teller  
Thomas  
Thompson, N.J.  
Toll  
Udall  
Ullman  
Vanik  
Wampler  
Wier  
Withrow  
Yates  
Zablocki  
Zelenko

## ANSWERED "PRESENT"—2

Foley Saylor

## NOT VOTING—4

Thompson, La. Westland

Canfield  
Elliott

So the bill was passed.

The Clerk announced the following pairs:

Mr. Westland for, with Mr. Saylor against.

Mr. SAYLOR. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. WESTLAND]. If he were present, he would vote "yea." I voted "nay." Therefore, I withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STRATTON. Mr. Chairman, throughout the House deliberation on labor reform legislation, I have consistently supported the bill reported out by the House committee, and I have consistently voted against all efforts to amend that bill by replacing it either with the Shelley substitute, supported by AFL-CIO leaders, or with the Landrum-Griffin bill supported by President Eisenhower. I did this because I believed and still believe that the committee bill represented a fair and reasonable middle-of-the-road approach to the labor-management reform problem. It was a bill which, in the words of Speaker RAYBURN would "reform without punishing" and "cure without crushing." It was a bill which Mr. Robert Kennedy, counsel of the Senate committee investigating labor racketeering, declared would "carry out all of the recommendations of the McClellan committee," and would set the Hoffas out of the labor movement. I opposed all efforts to amend this bill because I was fearful, and still am fearful, that any drastic changes from the committee bill might lead to a stalemate in the conference between the House and Senate that would result in no labor legislation being adopted at all, which I would regard as a great tragedy.

In spite of these considerations, the House yesterday voted to substitute the Landrum-Griffin bill for the committee bill. In today's final voting, therefore, I am voting against the motion to recommit and in favor of final passage of the bill.

My votes today, however, are being cast with the express understanding that my vote does not constitute approval of many of the provisions of the House bill, but that I believe it is imperative in the interests of getting effective labor control legislation that a labor reform bill be sent to conference between the House and Senate. I am hopeful that as a result of this conference a fairer bill can be worked out which will root out the Hoffas and the racketeers in the labor movement without penalizing legitimate union organizations. I also voted to send the bill to conference with the understanding that I will definitely reserve my final vote until I have a chance to see whether the conference committee agrees to a better and fairer bill, more nearly in line with either the bill which was reported out by the House committee or the Kennedy bill which passed the Senate earlier this year.

The SPEAKER. Pursuant to House Resolution 338, the Committee on Education and Labor is discharged from the further consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The Clerk read the title of the bill.

Mr. BARDEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BARDEN moves to strike out all after the enacting clause of the bill S. 1555, and insert in lieu thereof the provisions of the bill H.R. 8342 as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider and a similar House bill (H.R. 8342) were laid on the table.

Mr. BARDEN. Mr. Speaker, I move that the House insist on its amendment to the Senate bill and request a conference with the Senate.

The motion was agreed to.

The SPEAKER. The Chair will appoint conferees later in the day.

## LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader at this time if he will advise us as to the program for next week?

Mr. MCCORMACK. I will be happy to. With the disposition of pending matters today, we will go over until Monday.

On Monday the Consent Calendar will be called, after which there are 11 suspensions, as follows:

First. H.R. 4306, educational assistance for orphans.

Second. H.R. 8409, extend Wheat Agreement Act of 1949.

Third. H.R. 8284, amending the National Science Foundation Act.

Fourth. H.R. 6904, Advisory Commission on Intergovernmental Relations.

Fifth. H.R. 8587, equalization of allotments, Agua Caliente—Palm Springs—Reservation in California.

Sixth. H.R. 5892, Minute Man National Historical Park, Mass.

Seventh. H.R. 5068, Shipping Act, foreign freight forwarders.

Eighth. H.R. 8388, Merchant Marine Act, foreign flag affiliations.

Ninth. H.R. 8238, provides for a study of motor vehicle exhausts.

Tenth. House Joint Resolution 283, parliamentary conference with Mexico.

Eleventh. House Concurrent Resolution 369, China, sense of Congress against seating in the United Nations.

The latter is a resolution that is the sense of the Congress that Red China shall not be seated in the United Nations. On that there is likely to be a rollcall, so I advise the Members that there may be a rollcall on that resolution, as well as on others.

On Tuesday the Private Calendar will be called, after which the following bills will be called up for consideration:

H.R. 8374, Century 21 Exposition, clarify law.

H.R. 7985, Communications Act, equal time provisions.

H.R. 1341, safety standards for Government passenger-carrying motor vehicles.

There is the usual reservation that any further program will be announced later, and conference reports may be brought up at any time.

I might say that I see that none of these bills is going to help us much toward a sine die adjournment. There are several bills we have to get rid of first, but I do not see anything next week that is very consoling to a sine die adjournment. I hope that the committees that have these necessary bills under consideration will expedite action, if they are still in committee, and if they are reported out of committee try to get action from the Rules Committee to get a rule out of that committee.

#### COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on the bills H.R. 8035 and S. 300.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### INDEPENDENT OFFICES APPROPRIATION BILL, 1960

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT (H. REPT. NO. 887)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for the sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

The committee of conference reports in disagreement amendment numbered 1.

ALBERT THOMAS,  
SIDNEY R. YATES,  
CLARENCE CANNON,  
HAROLD C. OSTERTAG,  
JOHN TABER,

*Managers on the Part of the House.*

WARREN G. MAGNUSON,  
LISTER HILL,  
ALLEN J. ELLENDER,  
A. WILLIS ROBERTSON,  
SPESSARD L. HOLLAND,  
GORDON ALLOTT,  
LEVERETT SALTONSTALL,  
MILTON R. YOUNG,

*Managers on the Part of the Senate.*

#### STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on the amendment

of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

#### TITLE 1—EXECUTIVE OFFICE OF THE PRESIDENT

##### Office of Civil and Defense Mobilization

Amendment No. 1: Reported in disagreement.

ALBERT THOMAS,  
SIDNEY R. YATES,  
CLARENCE CANNON,  
HAROLD C. OSTERTAG,  
JOHN TABER,

*Managers on the Part of the House.*

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 3, line 5, strike out "\$10,000,000" and insert "\$25,000,000."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House further insist upon its disagreement to the amendment of the Senate numbered 1.

Mr. THOMAS. Mr. Speaker, I would like to explain this matter to the House briefly, and then I will yield to the gentleman from New York [Mr. OSTERTAG] to state his views; and I certainly want to yield to the gentleman from North Carolina [Mr. DURHAM] for some observations he may wish to make.

This concerns one item in disagreement. The conference report has heretofore been adopted by both bodies. This is an item on which the House has voted before and has sustained the House conferees. I might say also that the other body sustained the position of its conferees. We met in conference again, and here we are on the floor with this question once more.

We are going to ask for a record vote and we will ask that the House sustain its conferees in the matter.

Here is the meat in the coconut: When the bill left the House it included \$10 million for contributions by the Federal Government for civil defense purposes on a matching basis. The matching money was to be used in buying material to be used in the cities and towns for civil defense.

You have heretofore appropriated, in round figures, \$130 million for such civil defense grants. You have also heretofore appropriated to buy medical and other supplies in round figures \$235 million, and you today have that in 41 warehouses all over the country.

Let us go back to the point. The other body adds \$15 million on a matching basis. To do what? To buy more materials? No, but to start a brandnew program—I repeat, a new program of paying for jobs in the city halls.

You have had civil defense for 10 years; you started in April of 1950. The proposal now is for the Federal Government to pay half of the salaries, the office rent, the telephone calls, the travel expenses, the Western Union messages, for

4,000 brandnew employees of the States and cities.

Civil defense makes no bones about it. It says that next year they will come back in here not for \$12 million for this program, but for \$25 million to pay the salaries and expenses of the new program.

Do we need it? You have heretofore said "No" by your votes, and we on the committee think you are right about that. We have had a civil defense, and I think it has done a good job, for 10 years. Why is it necessary now, after 10 years, to embark upon a new program?

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, one of the most significant measures enacted by the 85th Congress was H.R. 7576, now known as Public Law 85-606, which made civil defense the joint responsibility of the Federal, State, and local governments—a partnership. This legislation, the result of years of study, and passed unanimously by both bodies of Congress, authorizes the Federal Government to assist the States and local governments with their civil defense personnel and administrative costs. The law also authorizes a maximum expenditure of \$25 million each year for this purpose.

Shortly after passage of the bill in July of last year, an amendment to the supplemental appropriation bill, 1959, was added by the Senate. It called for \$4 million to be used to initiate the contributions provision of the bill H.R. 7576. The amendment was not accepted by the conference because, at that time, all the States had not submitted their plans of organization. However, each State now has its plans perfected and many have appropriated funds to match the expected Federal contribution that will be made available to them.

The President has declared that civil defense is a vital part of our Nation's total defense. And everyone agrees that no civil defense program can be effective unless there is participation at the local level. The alternative to this program is a total Federal Government program with a correspondingly prohibitive cost. Here is legislation that has the wholehearted support of the Governor's conference, the conference of mayors, the American Municipal Association, the National Association of County Officials, the American Legion, AFL-CIO and many other groups whose only aim is to develop coordinated civil defense organization. Contrary to statements made that it will "provide thousands of jobs at city halls and that a bureaucracy divorced from responsibility would be created," those to be employed will be subject to a civil service or merit system—they must measure up to standards set by the Director of the Office of Civil and Defense Mobilization and be fully competent and qualified under the same rules and regulations that exist for other Federal agencies which provide grants-in-aid. If the standards of employment and organization are not met, Federal money may then be withdrawn or not allowed. There is also no justification



for remarks that it will be a wasteful program. With authorization to contribute \$25 million per year to the States—only \$12 million is being asked to carry out this program so vitally needed for national survival. Twelve million dollars is a small price to pay to coordinate and direct the resources of our State and local governments, their personnel, and some 4 million volunteers. As mentioned before, the alternative is outright Federalization at a probable cost of \$½ billion or more. In asking for these funds the OCDM is simply carrying out the mandate of Congress and the order of the President. The law says this money shall be contributed to the States. The States have set up their organizations in accordance with the law. How then, after they have acted on the promise of the Federal Government to assist, can we run out on them? It is as though we sent our soldiers into battle equipped with guns, but refused them ammunition.

And no matter how many worthy, dedicated, unpaid civil defense volunteers there may be—and they are in the millions—their services may not be used effectively without a strong nucleus of trained leaders—professionals—who are equipped to coordinate and guide their efforts in the event of disaster, be it natural or manmade.

Those who have studied the situation and who truly know—the Armed Services Committees of both bodies; my colleague CHET HOLIFIELD, who knows more of the problems and workings of civil defense than anyone in Congress; the Gaither report; the Rockefeller report; the Sarnoff report—all have urged approval of this proposal.

If we are to have a civil defense—and in view of the tensions existing in the world today it is imperative that we do have—there is, at present, only one way to achieve it, and that is to approve the appropriation necessary to implement the law.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I do not know what the experience in the gentleman's State was, but I know in the State of Oklahoma our Civil Defense Office had to lay off some people July 1 because of the failure to provide funds to carry on some programs that were going on down there.

Mr. DURHAM. That is true all over the country. Now, these people are not, as has been charged on the floor of this House, members of a political party seeking jobs.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Minnesota.

Mr. JUDD. I hope that the House today will not vote to sustain the position of the Committee on Appropriations, hard as it is to disagree with our distinguished, genial friend from Texas. This situation is getting more serious, not less, and for us to sit here and adamantly say that we are not going to do anything adequate about preparing our people on

how to save their lives in the event of an atomic attack seems to me a good deal less than the situation demands. I hope that the House will vote "no" on the motion to insist on the House position on this item and go along with the gentleman from North Carolina who knows more about this than any of the rest of us. His counsel has proved very wise through the years, and I think we ought to follow him now.

Mr. DURHAM. I thank the gentleman, and I might also say that this program has been endorsed last week and the week before at the Governors conference by all the Governors of the States of the United States. It has also been endorsed by the Municipal Association. It has been endorsed by the National Association of County Officials and also endorsed by the American Legion and by the AFL-CIO. So, this measure does not come before you today without some thought being given to it as to what it is and how it works. It is not a wasteful program. It is not a political program. It is instructional service for your life and the individuals in your own community. That is just exactly what it is.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Minnesota said the situation is getting worse. My question is, What situation is getting worse?

Mr. JUDD. The capacity to inflict devastating blows upon the United States is increasing in the hands of those who have proclaimed that they intend to bury us. That is a serious situation.

Mr. DURHAM. Certainly, I do not like to come here and take a position against the Committee on Appropriations. I do not think these people have seen me do this many times in the 21 years that I have been a Member of this House. But, it is difficult for me to understand why this amendment is opposed. Of course, the other body has insisted on its retention, and I think they have some people of excellent judgment and sound thinking who, of course, are qualified to make a decision in this field. In all sincerity I ask this body today to insist on the Senate provisions as a sound approach to future protection, and I am going to insist on it if the chairman does not—that we vote on this measure and have a showdown. I think it is time that we decided the issue. This is the second time the conferees have come back here in disagreement on a matter which I feel is one of the most important provisions of civil defense. The requested amount of funds, approved by the Budget Bureau, will, in my opinion, do more to put back into the local communities the responsibility for survival in the atomic age than any other action we could take. I am convinced, after serving on the Atomic Energy Committee since the original act of 1946, that a danger does exist. And certainly our responsibility here is a grave one.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman.

Mr. WIER. Mr. Speaker, I want to take this opportunity—and I really wanted to insist upon taking the opportunity—of aligning myself with the views of the gentleman from North Carolina. I have watched with care the operations of the civil defense organizations in the State of Minnesota. Every county has a well-organized group. They are going not only police duty, but working in many other capacities involving civic functions all through the State, in emergencies, traffic matters, and everything else.

Mr. DURHAM. I might add to the gentleman's statement that it has been amazing the cooperation we have had, without any cost to the Federal Government, all over the country, not in just one field but in all field of civil defense.

Mr. THOMAS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I want to align myself with the distinguished chairman of the Joint Committee on Atomic Energy [Mr. DURHAM], and I should like to adopt all of the arguments that he made with regard to this particular appropriation item. This amount has been adopted in the other body twice. It was cut out by the Appropriations Committee.

It is very seldom that I come to this floor in opposition to anything that the Appropriations Committee has advocated during the years I have been in this body.

I just recently served as chairman of the Subcommittee on Radiation that made a study of a hypothetical nuclear war on the United States, not a full-scale nuclear war, but what we called a limited type of nuclear war, in which only 260 weapons were dropped on the United States. The report of that study will be in the hands of each Member within the next 10 days, I think. It has already been approved unanimously by the full committee and has been sent to the Printing Office.

The results of this study show that if 260 nuclear weapons are dropped on 224 targets in the United States there will be 50 million people killed and 22 million people injured. These are not figures taken out of the air. These are the result of studies made by the Pentagon, the Casualty Estimate Division of the Pentagon, using IBM machines, using specific-sized weapons on specific targets, with specifically known populations.

We do not have a good civil defense. We might as well face up to it. I have been one of the critics of civil defense, but I have tried to be a constructive critic of civil defense. I say to you that this Congress has not faced up to the problem. This will not do the job. I will admit that, but this is a step in keeping together the State and local organizations, keeping them encouraged to continue to give their voluntary services. We need this money and we need it very badly.

I hope the House will support the restoration of this item which has been insisted on in the other body twice.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JENSEN. Mr. Speaker, I hesitate to disagree with my good friend the gentleman from Texas [Mr. THOMAS], but I feel that we are most inconsistent when we spend billions of dollars for antimissile missile protection, and for all of our military defenses, here and abroad, and then we are so niggardly that we will not spend a drop in the bucket, comparatively speaking, for our own defenses right here at home, right in our own backyard.

Mr. HOLIFIELD. I thank the gentleman for his contribution. We are spending \$40 billion a year for a Military Establishment that cannot defend the people of the United States against enemy attack. If we spent just a little of that \$40 billion a year for the next 4 or 5 years we could—and this is the testimony of experienced scientists and engineers whom we have had before us—we could cut that 50 million casualty figure down, a casualty figure of 30 percent, to 3 percent in the event of enemy attack. And most important, this would provide us a deterrent value far in excess of the money that would be expended on it.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. EDMONDSON. Mr. Speaker, I want to join the gentleman in urging that this additional money be provided. The gentleman's studies have demonstrated that one of the major deterrents to a mass attack upon the United States is an effective civil defense. I think every dollar we spend to strengthen that civil defense is a dollar of insurance against the attack that we want to avoid.

Mr. HOLIFIELD. I thank the gentleman. I want again to emphasize this; if we had a good civil defense which we knew would protect our people in this country from enemy attack, we would have a deterrent factor second only to our ability to militarily strike the enemy and militarily defend ourselves.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JUDD. It has been stated that the gain we hope to get from the impending visit of the ruler of Russia is that we will be able to show him that both the Government and the people of the United States are stronger, firmer, and more united than he has believed. Certainly he would be less likely to strike if he realizes that he cannot destroy us. Therefore, to have our people trained in civil defense so that they can do more to prevent being wiped out in any attack is important in preventing the attack.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Speaker, we all think the former Governor of Iowa, Leo A. Hoegh, is doing a splendid job as the Director of Civil Defense, but from some of these statements that have been made here, it would appear that no funds are carried in this appropriation

bill at all for civil defense education and training. The civil defense program has been carrying on an intensive and extensive educational and training program for years. People are brought in to Washington from the various regions—civil defense workers, police officers, and others, and a very extensive training program is being carried on presently. They then go back and have a further training program in the local municipalities and cities on the local level.

In 1958, for education and training alone, we appropriated \$3,442,966. For 1959, we appropriated \$4,037,000 and a similar amount next year. So the amount of funds for this purpose has been going up each year. For the grants program we are appropriating millions in grants to the States for education and training alone. So there exists an intensive education and training program in civil defense. This is a question of whether you are going to embark upon a program of some 4,000 new jobs for next year when we have rather substantial employment conditions prevailing in the country. I thought also another factor is that since Mr. Khrushchev is coming to our country that tensions have lessened and, perhaps, we may not need all of this additional money for civil defense at this time.

Mr. Speaker, I hope we will sustain the position of the House on this vote, as we can soon reconsider the matter if further funds ultimately may be needed.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, a few weeks ago when this issue was first on the floor of the House, and the House took certain action, I saw a newspaper story in one of the Detroit newspapers which bewailed and bemoaned the fact that because of the House action, I believe something like 10 firemen and 10 policemen from the city of Detroit would have to be put on the local city payroll rather than on the Federal funds. It does not seem sensible to me that Congress start paying out of Federal funds for the employment of local policemen and local firemen who are employed and fired and administered under local civil service regulations. I sincerely believe that if the local communities are anxious to have these people as a part of their organization, the minimum they should pay is 50 percent of the cost of employment and not put the full burden on the Federal Treasury. We would lose control of personnel policies and we would have no control and jurisdiction over what they do or how they do it. I sincerely believe that we would be getting our foot into a most dangerous situation by permitting Federal funds to be paid exclusively for the employment of local officials. I sincerely believe the House should sustain the House conferees.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. DURHAM. Under the law, what the gentleman says cannot be done. I do not know where the gentleman got his information or the newspaper article, but it can only be on a 50-50 basis.

Mr. FORD. All I know is that this newspaper article stated that certain employees of the fire department and the police department of the city of Detroit were going to be fired or removed from the rolls because Uncle Sam was not going to pour the money into the city coffers of the city of Detroit.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Speaker, knowing of the intense interest of the members of this House to keep the interstate and defense highway program on schedule, I have today introduced a bill that will allow the program to continue in an orderly and progressive manner.

The bill which I have introduced, H.R. 8678, is in the nature of a substitute to H.R. 5950, which I introduced earlier in the session. H.R. 5950 was referred to the Committee on Public Works, which held public hearings and agreed to report the bill to the House, contingent on favorable action by the Committee on Ways and Means in providing the necessary financing provisions.

Such action is now completed and is incorporated as title 2 of the bill I introduced today.

Title 2 of the bill, as referred to the Committee on Public Works by the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], provides a temporary increase in the Federal tax on motor fuels of 1 cent per gallon—from 3 to 4 cents—effective September 1, 1959 through June 30, 1961; a transfer to the Highway Trust Fund of the receipts from 5 percentage points of the excise tax on passenger cars and the receipts from 5 percentage points of the excise tax on parts and accessories, effective July 1, 1961, until June 30, 1964.

I hope that H.R. 8678 can be brought to the floor quickly and voted on without delay. The measure provides for the continuation of the interstate highway program at the level of \$2 billion for the fiscal year 1961 and \$2.2 billion for fiscal 1962.

The legislation proposed is temporary, emergency legislation. It is anticipated that in 1961, when the results of certain comprehensive studies ordered by the Highway Act of 1956 will be placed in the hands of the Congress, we will consider a broad revision of the revenue law supporting the Highway Trust Fund, in order to insure an equitable distribution of the costs of the highway program among the various classes of highway users and nonusers who benefit from the Federal-aid highways.

Pending this long-range revision, it is essential that the highway program be continued substantially along the lines contemplated by the Highway Act of 1956. In most States, this program has been brought to a dead halt. The Federal Highway Administrator has announced that there must be a 9 months' moratorium in the letting of new contracts unless there is remedial legislation at this session of Congress, and that, in the absence of such legislation, there will be an even more serious interruption



of progress on the construction of the National System of Interstate and Defense Highways. It is the purpose of my bill to correct this critical situation.

The cost of such delay in the interstate program is, actually, incalculable. Unless the situation is corrected, it is estimated that a delay of 1 year would result in a loss of billions of dollars. This loss is accounted for in the delay of the economic benefits of the system and the cost of disrupting and then reorganizing the forces of trained men and equipment and the sources of materials supply which have been brought together for this great program.

Such dollar estimates, of course, cannot take into account the loss of human life which is part of the toll we pay for inadequate highways. The National Safety Council has estimated that if no interstate highways are built in 1960, thus delaying completion of the system for 1 year, about 5,700 more deaths would occur by the time the system is completed than would have occurred had the system been completed on schedule.

Nor can we estimate, in terms of dollars, the importance of completing the Interstate System to our national defense. The value of the defense aspects of the Interstate System are greater than many citizens realize, and greater than was the case when the Highway Act of 1956 was enacted, in the view of the Department of Defense.

In short, in terms of economic benefits, highway safety, and national defense the Nation cannot afford a major cut-back in the rate of progress of completing the National System of Interstate and Defense Highways.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I am delighted to yield to our distinguished colleague, the chairman of the Committee on Ways and Means [Mr. MILLS].

Mr. MILLS. Will my friend, the gentleman from Maryland, advise us whether or not the bill he has introduced today contains a title II dealing with the financing of the road program for the 2-year period involved?

Mr. FALLON. Yes; it does.

Mr. MILLS. The language of title II in your bill is the language which was prepared by the Committee on Ways and Means with regard to the financing?

Mr. FALLON. It is the exact language.

Mr. MILLS. Mr. Speaker, this is a matter which should, in my opinion, be handled in one bill. However, it should be understood that this is not in any way to indicate the establishment so far as our committee is concerned of a precedent with respect to jurisdiction of the Highway Trust Fund.

Mr. THOMAS. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. I want to ask the chairman of the committee in regard to a matter we have already passed in the conference report for the Federal Trade Commission in this bill. Are adequate funds provided for the administration of the Textile Labeling Act?

Mr. THOMAS. The Federal Trade Commission, of course, has jurisdiction over a good many of these labeling acts. I believe the gentleman is the author of the Textile Labeling Act; is he not?

Mr. SMITH of Mississippi. Yes.

Mr. THOMAS. The Commission is working on the rules and regulations now and there is money in the bill for enforcement of that act.

Mr. SMITH of Mississippi. I thank the gentleman.

Mr. THOMAS. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I can remember when I first came to Congress—that is a good while back—that the National Guard and what we had of the Army Reserves, and the Naval Reserves, were paid for out of State funds. They began to creep into the Federal Treasury a little at a time until at present the guard costs approximately \$400 million and the Federal Government pays practically all the expense. The Reserves cost approximately \$300 million. The Naval Reserves also cost an enormous sum of money.

This program starts a local policing proposition similar to that which was described by the gentleman from Michigan [Mr. FORD]. Frankly, if we are going into every city hall and every county courthouse and set up a new outfit to do the things the police and firemen and volunteers who take an interest in this thing should do, I do not know where we are going to get the money. Frankly, we are up against it right now. It is a tremendous job to undertake to balance the budget and to keep the United States right side up.

There is not any lack of a sense of responsibility on the part of any of the members of the Appropriations Committee; it is not a question of being hide-bound or anything of that kind; it is a question of being honest with the people.

The people can operate a situation like this through the States for a great deal less than to have the Federal Government contributing. They can do it better and take care of the situation fully and completely if we do not give them this appropriation.

Frankly, I do not see how we can go along carelessly and loosely any longer. It is time we woke up and began to appreciate what kind of situation the United States of America is in. I hope the motion offered by the gentleman from Texas [Mr. THOMAS] will prevail and that the question at issue will be sent back to the Senate with instructions from the House that its conferees further insist in our disagreement to the amendment of the Senate.

Mr. THOMAS. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Speaker, I believe it would be well for us to bring back into focus exactly what is before us at this time.

This is the conference report on the independent offices appropriation bill for 1960, and it is the second time that this report appears before the House. The

managers on the part of the House returned to a second conference with the Senate maintaining the original action of the House on H.R. 7040. The Senate in the meantime had acted to sustain the position of the Senate in providing \$25 million appropriations for Federal contributions to the States and communities for personnel and other services. I think it well for us to bear in mind that the only item in dispute in this conference report deals with civil defense; and in that connection I might point out that in the independent offices appropriation bill as passed by the House including that of civil and defense mobilization, there are items such as salaries expenses; Federal contributions for emergency supplies and equipment; research and development and Federal grants or contributions to the States and localities for civil defense purposes.

I repeat that the Senate provided \$25 million for Federal contributions, the House bill as originally passed provided \$10 million for contributions, but no money for personnel—but included in the House bill was \$10 million for equipment and supplies. The Senate restored \$3 million additional for equipment and supplies over and above the House figure and that is likewise on a matching basis, the same as the \$12 million item, which is the main item in dispute as between the House and the Senate figures.

The Durham Act, as passed a year or two ago, did authorize and provide for a \$25 million a year matching fund for personnel purposes. No funds have ever been provided for this program. The Budget Bureau included the \$12 million item for fiscal 1960.

I merely wanted to clarify the picture and make certain that the disagreement between the House and the other body was understood.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from California.

Mr. HOLIFIELD. I am glad the gentleman explained exactly what is before the House. This is a request of the administration. Governor Hoegh has requested this amount, it is approved by the Budget Bureau, it has been approved twice by the other body. Now we have it before us to vote up or down. If we want to vote for the money, then the vote on the motion to be offered by the gentleman from Texas to insist on the House position of disagreement with Senate amendment No. 1 would be "No," if we want to vote for the providing of this money to the local people.

Mr. OSTERTAG. That is correct.

Mr. HOLIFIELD. Is it not true this is on a matching basis?

Mr. OSTERTAG. Yes. As I understand, the law authorizes a 50-50 matching basis.

Mr. HOLIFIELD. I would like to ask the gentleman this question: Is it not, in his opinion, an obligation of the Federal Government to assist the people of any town or any city in the event of an enemy attack on that town or city? Is that not a Federal obligation rather than a local obligation?

Mr. OSTERTAG. I doubt that I have the time to give a qualified answer to that.

Mr. HOLIFIELD. Both sides would have to help, the local would have to help, but in all wars the Federal Government is the responsible entity to protect us against an enemy attack?

The SPEAKER. The time of the gentleman from New York has expired.

Mr. THOMAS. Mr. Speaker, I will move the previous question when I get through, because we do not have much time, and I humbly apologize to the House for taking up this time. But, we have to do it, and we will have a roll-call. You have had a hard week, and you are tired.

Mr. Speaker, let us see what the situation is here. No one is falling out with Civil Defense. They have done a magnificent job. We have had three Administrators who have all done a fine job: Our former colleague, the Governor from Florida, the Governor of Nebraska, Governor Peterson, and Governor Hoegh of Iowa. He formerly was Administrator of the FCDA, but now he is head of the Office of Civil and Defense Mobilization, which combines civil defense and defense mobilization, and it is over at the White House, and he is in a little different position than he was a few years ago.

My friend, Governor Hoegh, has not failed and refused to use his lovable personality and his ingenuity and brains, and he is smart. He has given this Congress many, many letters to write on account of the organization back home.

Now, let us see. Why is this additional \$25 million a year so important now? Civil defense has been in effect for 10 years. I think they have done a pretty good job for the last 10 years. I have heard everything when it is said that this country is dependent upon civil defense for our defense. I cannot quite agree with that. We appropriate \$40 billion every year to the Army, the Navy, and the Air Force, and maybe one or two other agencies, for the defense of this country. Certainly that is a lot of money. So, let us not cloud the issue now and say we are depending on civil defense to defend this country. Of course we are not. Civil defense has its functions, and I think it has done a good job.

But, why go in there and put 8,000 or 10,000 more people to work. Who is going to hire these people? Who is going to fire them? Will the Congress? Will my friend, Governor Hoegh? Will the President of the United States hire them or fire them? Not one syllable of authority will he have over hiring them or firing them. Who is going to be their boss? Frankly, I do not know. They may be their own bosses. What are they going to do? They do not have anything to do now except what we say in polite terms, public relations work. They are public relations people. All they have got to do now is go out and say, "This road is going to be closed," and then 6 months from now tear down that sign and say, "No; we have to do some more planning, and we are not going to close this one, and that one we

will close, and we will let you know 2 months from now," and at the same time write the Members of Congress, "Let us have this appropriation." You are putting a little fire under yourselves.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. Certainly I will yield.

Mr. EDMONDSON. In the first place, the gentleman, I think, changed a little bit the import of what the gentleman from Oklahoma said.

A moment ago the gentleman from Oklahoma said that the reports of the congressional committee of which the gentleman from California [Mr. HOLIFIELD] is a leading member—

Mr. THOMAS. And a leading Member of the House.

Mr. EDMONDSON. Had indicated that a civil defense was one of the most effective and important deterrents to attack. I certainly do not think it is going to defend our country, but I think it is an effective deterrent to attack.

Mr. THOMAS. I hope so, but that is neither here nor there. If we put these people to work, we are putting that much money down a rathole, if you want my honest opinion. I hope we are never attacked. But if we are and this country is paralyzed and we are bleeding and we do not know which way to turn, are we going to call for civil defense? No. We are going to do as we would do now. Your Governor is going to call out your National Guard, and another Governor is going to do the same thing, and they are going to take charge. We all know that—the gentleman knows it and I know it. I hope that time never comes, but if it does come, he knows what is going to happen. These people are serving a useful purpose, of course. But they do not have an organization, and they never will have it. You have a military job to do and you are going to call on the military to do it.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. HOSMER. I think we should understand that the essence of civil defense is protection in time of attack plus, of course, a followup afterward. That means shelters. It is not enough well understood, but it was brought out in the hearings of the committee of the gentleman from California [Mr. HOLIFIELD] that for the price of \$100, a shelter can be built by any individual and they will cut the factor of danger of radioactivity by 1,000. I think everybody in this country should realize that they can write to the Civil Defense Administration and get a booklet on how to build a shelter for \$100. They cannot only build them, which will offer them a great amount of protection, but, by doing so, they will be taking part in making it more difficult, if not impossible, for an enemy to reduce this country to a shambles.

Mr. THOMAS. Mr. Speaker, may I say in reply, I am glad to hear the gentleman say that. It just shows what time does to us all. It has a great purifying effect. If we had followed these

Civil Defense Administrators before this, we would have spent 5 or 7 or 8 or maybe \$10 billion on shelters. Now they are saying that we can build one for \$100. I say if you vote for this \$12 million for new people, new jobs, these public relations boys, if you do not open up a shelter program that will be coming in here next year for one-half billion dollars, I will come here and say to you, "Well, I am wrong."

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. MEYER. Is not the crux of the matter that in case of a nuclear war even though we have spent billions and billions of dollars for a civil defense system, we would not really have a civil defense system that would work anyhow?

Mr. THOMAS. I think the gentleman has put his finger right on the point.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. THOMAS].

Mr. EDMONDSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDMONDSON. On the vote now about to be put in the House, as I understand it, a "yea" vote is a vote against the increase in the funds and a "nay" vote is a vote for the increase in the funds; is that correct?

The SPEAKER. The motion of the gentleman is further to disagree to the Senate amendment.

Mr. EDMONDSON. Will the Speaker inform me—

The SPEAKER. The Chair does not construe these motions. I think it has been made very evident by the gentleman from Texas [Mr. THOMAS] what it is all about.

The question is on the motion of the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 167, not voting 26, as follows:

[Roll No. 133]  
YEAS—241

Abbutt	Betts	Colmer
Abernethy	Blitch	Corbett
Adair	Boggs	Cramer
Albert	Boland	Cunningham
Alexander	Bosch	Curtis, Mo.
Alger	Bow	Dague
Allen	Boykin	Denton
Andersen,	Bray	Derounian
Minn.	Breeding	Devine
Andrews	Brooks, Tex.	Dooley
Ashley	Brown, Ga.	Dorn, S.C.
Ashmore	Brown, Ohio	Dowdy
Aspinall	Broyhill	Downing
Auchincloss	Burke, Ky.	Dulski
Avery	Burke, Mass.	Everett
Bailey	Burleson	Evins
Baker	Bush	Fallon
Barr	Byrnes, Wis.	Feighan
Bass, N. H.	Cannon	Fino
Bass, Tenn.	Carnahan	Fisher
Bates	Carter	Flood
Baumhart	Casey	Flynt
Becker	Cederberg	Fogarty
Beckworth	Chamberlain	Forand
Belcher	Chelf	Ford
Bennett, Mich.	Chenoweth	Forrester
Bentley	Coad	Frazier
Berry	Collier	Friedel



Garmatz	Loser	Riley
Gary	McCulloch	Rivers, S.C.
Gathings	McDonough	Rogers, Fla.
Gavin	McFall	Rogers, Tex.
George	McMillan	Rooney
Glenn	McSweeney	Rutherford
Green, Oreg.	Machrowicz	St. George
Gross	Mack, Wash.	Santangelo
Gubser	Madden	Saund
Haley	Magnuson	Schenck
Hargis	Mabon	Scherer
Harmon	Malliard	Schwengel
Harris	Marshall	Scott
Harrison	Martin	Selden
Hays	Meador	Shelley
Hechler	Meyer	Siler
Henderson	Michel	Simpson, Ill.
Herlong	Miller, N.Y.	Smith, Calif.
Hess	Milliken	Smith, Iowa
Hiestand	Mills	Smith, Kans.
Hoeben	Minshall	Smith, Va.
Hoffman, Ill.	Mitchell	Steed
Hoffman, Mich.	Moeller	Stratton
Hogan	Monagan	Stubblefield
Holt	Moore	Sullivan
Horan	Moorhead	Taber
Hosmer	Morris, N. Mex.	Taylor
Huddleston	Morrison	Teague, Calif.
Hull	Multer	Teague, Tex.
Ikard	Mumma	Thomas
Irwin	Murphy	Thompson, Tex.
Jarman	Murray	Thomson, Wyo.
Jennings	Natcher	Thornberry
Johansen	Nelsen	Tollefson
Jonas	Norblad	Tuck
Jones, Mo.	Norrell	Utt
Keith	O'Konski	Vanik
Kilburn	Osmers	Van Felt
Kilday	Passman	Wampler
Kilgore	Patman	Watts
King, Utah	Frost	Weaver
Kirwan	Plicher	Wharton
Kluczynski	Pillion	Whitener
Knox	Pirnie	Whitten
Kowalski	Poage	Williams
Lafore	Poff	Winstead
Laird	Preston	Withrow
Landrum	Quile	Wolf
Langen	Rabaut	Wright
Latta	Ray	Yates
Lennon	Reece, Tenn.	Young
Levering	Rees, Kans.	Younger
Lipscomb	Rhodes, Ariz.	

## NAYS—167

Addonizio	Edmondson	Matthews
Alford	Farbstein	May
Anderson, Mont.	Fascell	Marrow
Arendes	Fenton	Metcalfe
Ayres	Flynn	Miller, Clem
Baldwin	Foley	Miller,
Baring	Fountain	George P.
Barrett	Frelinghuysen	Montoya
Barry	Fulton	Morgan
Bennett, Fla.	Gallagher	Morris, Okla.
Blatnik	Gialmo	Moss
Boiling	Goodell	Moulder
Bolton	Granahan	Nix
Bonner	Grant	O'Brien, Ill.
Bowles	Gray	O'Brien, N.Y.
Boyle	Green, Pa.	O'Hara, Ill.
Brademas	Griffin	O'Hara, Mich.
Brewster	Griffiths	O'Neill
Brook	Hagen	Oliver
Brooks, La.	Hall	Ostertag
Broomfield	Halpern	Pelly
Brown, Mo.	Healey	Perkins
Burdick	Hemphill	Philbin
Byrne, Pa.	Hollifield	Porter
Cahill	Holland	Price
Chapfield	Holtzman	Prokop
Church	Jensen	Pucinski
Clark	Johnson, Calif.	Quigley
Coffin	Johnson, Md.	Rains
Cohelan	Johnson, Wis.	Randall
Conte	Jones, Ala.	Reuss
Cook	Judd	Rhodes, Pa.
Cooley	Karsten	Riehlman
Curtin	Karthe	Rivers, Alaska
Curtis, Mass.	Kastenmeier	Roberts
Daddario	Kearns	Robison
Daniels	Kee	Rodino
Davis, Tenn.	Kelly	Rogers, Colo.
Dawson	King, Calif.	Rogers, Mass.
Delaney	Kitchin	Roosevelt
Dent	Lane	Rostenkowski
Derwinski	Lankford	Roush
Diggs	Lesinski	Saylor
Dixon	Libonati	Shiley
Dollinger	Lindsay	Short
Donohue	McCormack	Sisk
Dorn, N.Y.	McDowell	Slack
Doyle	McGinley	Smith, Miss.
Durham	McGovern	Spence
Dwyer	McIntire	Springer
	Mack, Ill.	Staggers

Teller	Van Zandt	Wier
Thompson, N.J.	Vinson	Willson
Toll	Wainwright	Zablocki
Trimble	Wallhauser	Zelenko
Udall	Walter	
Ullman	Wels	

## NOT VOTING—26

Anfuso	Halleck	Powell
Barden	Hardy	Sheppard
Buckley	Hébert	Sikes
Budge	Jackson	Simpson, Pa.
Canfield	Johnson, Colo.	Thompson, La.
Celler	Kasem	Westland
Davis, Ga.	Keogh	Widnall
Dingell	Macdonald	Willis
Elliott	Mason	

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Sikes with Mr. Simpson of Pennsylvania.

Mr. Hébert with Mr. Halleck.

Mr. Keogh with Mr. Jackson.

Mr. Buckley with Mr. Mason.

Mr. Anfuso with Mr. Westland.

Mr. Hardy with Mr. Canfield.

Mr. Johnson of Colorado with Mr. Budge.

Mr. Thompson of Louisiana with Mr. Widnall.

Mr. DULSKI changed his vote from "nay" to "yea."

Mr. PUCINSKI and Mr. HALPERN changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC WORKS APPROPRIATION  
BILL, 1960

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

## CONFERENCE REPORT (H. REPT. No. 888)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 14, 16, and 17, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$10,750,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$678,314,100"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$117,882,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$70,839,500"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$4,788,710"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$3,838,710"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$135,862,739"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 10, 13, and 15.

CLARENCE CANNON,  
LOUIS C. RABAUT,  
MICHAEL J. KIRWAN,  
BEN F. JENSEN,

*Managers on the Part of the House.*

ALLEN J. ELLENDER,  
CARL HAYDEN,  
RICHARD B. RUSSELL,  
JOHN L. MCCLELLAN,  
A. WILLIS ROBERTSON,  
LISTER HILL,  
WARREN G. MAGNUSON,  
SPESSARD L. HOLLAND,  
ROBERT S. KERR,  
HENRY C. DWORSHAK,  
MILTON R. YOUNG,  
KARL E. MUNDT,  
MARGARET CHASE SMITH,

*Managers on the Part of the Senate.*

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

*Rivers and harbors and flood control*

## General Investigations

Amendment No. 1: Appropriates \$10,750,000 instead of \$9,518,400 as proposed by the House and \$11,938,200 as proposed by the Senate. The funds provided are to be distributed.

Item	Budget estimate for fiscal year 1960	Conference allowance	Item	Budget estimate for fiscal year 1960	Conference allowance
<b>GENERAL INVESTIGATIONS</b>			<b>Collection and study of basic data:</b>		
Examinations and surveys:			Stream gaging (U.S. Geological Survey).....	\$225,000	\$225,000
Navigation studies.....	\$600,000	\$1,050,000	Precipitation studies (U.S. Weather Bureau).....	330,000	330,000
Flood control studies.....	2,100,000	3,101,000	Fish and wildlife studies (U.S. Fish and Wildlife Service).....	50,000	50,000
Beach erosion cooperative studies.....	75,000	75,000	International water studies.....	50,000	50,000
Special studies:			Subtotal collection and study of basic data.....	605,000	655,000
San Francisco Bay survey.....	400,000	500,000	<b>Research and development:</b>		
Ohio River Basin review.....	400,000	400,000	Beach erosion development studies.....	200,000	200,000
Great Lakes Harbor survey.....	260,000	260,000	Hydrologic studies.....	150,000	150,000
Coordination studies with other agencies.....	150,000	110,000	Civil works investigations.....	1,200,000	1,200,000
Delaware River comprehensive survey.....	330,000	330,000	Mississippi Basin model:		
Hurricane studies.....	950,000	950,000	Construction.....	700,000	700,000
Hudson River (siltation) studies.....	114,000	114,000	Mississippi River comprehensive study.....	105,000	105,000
Potomac River review.....	500,000	400,000	Subtotal, research and development.....	2,355,000	2,355,000
Colorado River, Tex.....	75,000	75,000	Arkansas-Red River pollution.....	75,000	75,000
Trinity River.....	200,000	250,000	Total, general investigations.....	9,000,000	10,750,000
Rampart Canyon, Alaska.....	50,000	50,000			
Subtotal, examinations and surveys.....	6,040,000	7,665,000			

Funds proposed by the Senate for the Lake Champlain Waterway, and the Big Muddy River and Beaucoup Creek have been disallowed. The conferees of both Houses are in agreement that the funds provided for the Potomac River review shall be used to finance the study of water supply and

pollution abatement as authorized by the Senate Public Works Committee resolution adopted on July 6, 1959, rather than for the comprehensive study previously authorized.

Amendment No. 2: Reported in disagreement.

#### Construction, General

Amendment No. 3: Appropriates \$678,314,100 instead of \$658,800,100 as proposed by the House and \$710,034,100 as proposed by the Senate. The conferees are in agreement that funds appropriated under this item should be allocated as set forth in the following tabulation:

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
<b>Alabama:</b>				
Aquatic plant control. (See Louisiana.)				
Columbia lock and dam, Alabama and Georgia.....	\$1,000,000		\$1,000,000	
Holt lock and dam.....				\$150,000
Jackson lock and dam.....	8,150,000		8,000,000	
Montgomery.....		\$63,000		63,000
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia.....	14,900,000		14,900,000	
<b>Alaska:</b>				
Dillingham Harbor.....			406,000	
Naknek River.....			1(21,000)	
Seldovia Harbor: Channel work.....			1(245,000)	
<b>Arizona:</b>				
Alamo Reservoir.....		65,000		65,000
Gila River.....		30,000		50,000
Painted Rock Reservoir.....	5,171,000		5,171,000	
Whitlow Ranch Reservoir.....	1,903,000			
<b>Arkansas:</b>				
Arkansas River and tributaries, Arkansas and Oklahoma: Emergency bank stabilization.....	4,000,000		5,000,000	
Arkansas River and tributaries, Arkansas and Oklahoma (general studies).....		900,000		900,000
Beaver Reservoir.....			1,500,000	
Bull Shoals Reservoir, Ark. and Mo. (additions of units Nos. 5 and 6).....	1,200,000		1,200,000	
Clarksville.....			1(259,000)	
Dardanelle lock and dam.....	5,000,000		3,400,000	
DeGray Reservoir.....				150,000
Gillham Reservoir.....				80,000
Greens Ferry Reservoir.....	11,130,000		11,130,000	
McKinney Bayou and Barkman Creek, Ark. and Tex.....	600,000		600,000	
Millwood Reservoir.....		172,000		172,000
Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.....	700,000		700,000	
Table Rock Reservoir, Ark. and Mo. (See Missouri.)				
<b>California:</b>				
Black Butte Reservoir.....	2,500,000		2,500,000	
Carbon Canyon Dam and Channel.....	2,000,000		2,000,000	
Devil East Twin Warm and Lytle Creeks.....	2,000,000		2,000,000	
Eel River.....	508,000		508,000	
Halfmoon Bay Harbor.....	1,500,000		1,500,000	
Los Angeles County Drainage Area.....	15,500,000		15,500,000	
Lower San Joaquin River and tributaries.....	1,000,000		1,000,000	
Middle Creek.....	650,000		650,000	
Mill Creek levees.....			500,000	
New Hogan Reservoir.....			1,500,000	
Oroville Reservoir.....		30,000		30,000
Pine Flat Reservoir.....	75,000		75,000	
Playa Del Rey Inlet and Basin.....	500,000		500,000	
Port Hueneme Harbor.....	3,000,000		3,000,000	
Redwood City Harbor: 30-foot depth San Bruno Shoal entrance and Redwood Creek channels.....			1,378,000	
Russian River Reservoir.....	250,000		250,000	
Sacramento River.....	2,500,000		2,500,000	
Sacramento River and major and minor tributaries.....	1,100,000		1,100,000	
Sacramento River deepwater ship channel.....	7,500,000		6,500,000	
San Antonio and Chino Creeks.....	1,800,000		1,800,000	
San Jacinto River and Bautista Creek.....			225,000	
San Joaquin River-Stockton deepwater channel.....	250,000		250,000	
San Lorenzo Creek.....	1,700,000		1,700,000	
San Lorenzo River.....	274,000		274,000	
Santa Clara River.....	1,300,000		1,300,000	
Santa Maria Valley levees.....	2,200,000		2,200,000	
Stewart Canyon Basin.....		62,000		62,000
Success Reservoir.....	4,000,000		4,000,000	
Terminus Reservoir.....	5,500,000		5,500,000	
Truckee River and tributaries, California and Nevada. (See Nevada.)				
Tuolumne River Reservoirs (New Don Pedro).....		25,000		25,000

See footnote at end of table.



Construction, general, State and project ]	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
Colorado: Trinidad Reservoir.....		\$75,000		\$75,000
Connecticut:				
Hall Meadow Brook Reservoir.....		75,000	\$250,000	
Mad River Reservoir.....		75,000	275,000	
Thomaston Reservoir.....	\$4,800,000		4,800,000	
Delaware: Inland waterway, Delaware River to Chesapeake Bay, Delaware and Maryland:				
(a) Canal improvement.....		180,000		180,000
(b) Summit Bridge.....	3,090,000		3,090,000	
Florida:				
Apalachicola Bay:				
(a) Channel at East Point: Reimbursement.....			39,100	
(b) St. George Island: Reimbursement.....			43,000	
Aquatic plant control. (See Louisiana.)				
Central and Southern Florida.....	9,000,000		9,000,000	
Escambia River.....			1 (88,000)	
Intracoastal Waterway, Caloosahatchee River to Anclote River.....			600,000	
Intracoastal Waterway, Jacksonville to Miami.....	1,130,000		1,130,000	
St. Joseph Bay, Port St. Joe Harbor.....	1,183,000		1,000,000	
Tampa Harbor:				
Deepening of Tampa Harbor Channel.....	3,672,000		3,672,000	
Georgia:				
Aquatic plant control. (See Louisiana.)				
Brunswick Harbor.....	1,150,000		1,150,000	
Columbia lock and dam, Alabama and Georgia. (See Alabama.)				
Hartwell Reservoir, Ga. and S.C.	26,400,000		26,400,000	
Savannah River below Augusta.....	950,000		950,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)				
Hawaii:				
Honolulu Harbor.....	1,720,000		1,720,000	
Kahului Harbor.....			140,000	
Wailoa Stream.....		28,000		28,000
Idaho:				
Bruce Eddy Reservoir (construction not yet authorized).....		770,000		770,000
Columbia River local protection:				
(a) Boise Valley.....		41,000		41,000
(b) Heise-Roberts extension.....		75,000		75,000
Illinois:				
Beardstown.....	688,000		688,000	
Carlyle Reservoir.....	2,640,000		2,640,000	
Chicago, Burlington & Quincy R.R. bridge, including channel change.....	2,064,000		2,064,000	
Clear Creek Drainage and Levee District.....	200,000		200,000	
Dam 27, Mississippi River between St. Louis and lock and dam 26.....	1,738,000		1,738,000	
Drury Drainage District.....			540,000	
East St. Louis and vicinity.....	2,300,000		2,300,000	
Henderson River: Diversion unit.....			550,000	
Hunt Drainage District and Lima Lake Drainage District.....			1,000,000	
Illinois Waterway, Calumet-Sag Channel, part I.....	8,600,000		7,670,000	
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.: Regulating works.....	1,500,000		1,500,000	
Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of dam-				
ages.....	65,000		65,000	
Shelbyville Reservoir.....		50,000		50,000
Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Drainage and Levee District No. 1.....				50,000
The Sny Basin.....	1,000,000		1,000,000	
Wabash R.R. bridges at Meredosia and Valley City.....	528,000		528,000	
Wilson and Wenkel and Prairie Du Pont Drainage and Levee District.....	327,000		327,000	
Wood River Drainage and Levee District.....	1,100,000		1,100,000	
Indiana:				
Clinton (deferred for restudy).....				5,000
Evansville.....	430,000		430,000	
Huntington Reservoir.....		25,000		25,000
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)				
Mansfield Reservoir.....	1,663,000		1,663,000	
Mason J. Niblack levee.....		54,000		54,000
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Mississinewa Reservoir.....	150,000		150,000	
Monroe Reservoir.....	75,000		75,000	
Salamonie Reservoir.....	150,000		150,000	
Sugar Creek levee.....			15,000	
Terre Haute-Conover levee (deferred for restudy).....			2,000	
Vincennes.....	200,000		200,000	
West Terre Haute.....				30,000
Iowa:				
Floyd River and tributaries.....		100,000		100,000
Green Bay levee and Drainage District No. 2.....				75,000
Iowa River-Flint Creek levee District No. 16.....		100,000		100,000
Little Sioux River.....	2,500,000		2,500,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:				
(a) Sioux City, Iowa, to Omaha, Nebr.....	6,420,000		5,600,000	
(b) Omaha, Nebr., to Kansas City.....	2,800,000		2,800,000	
(c) Kansas City to the mouth.....	3,475,000		3,475,000	
Muscatine Island levee District and Muscatine-Louis County Drainage District No. 13.....	860,000		860,000	
Red Rock Reservoir.....		113,000	1,113,000	
Saylorsville Reservoir.....				200,000
Kansas:				
Abilene.....	338,000		338,000	
Council Grove Reservoir.....			300,000	
Frankfort.....				50,000
John Redmond (Strawn) Reservoir.....	1,300,000		1,300,000	
Manhattan.....	450,000		450,000	
Marion Reservoir.....				25,000
Marysville.....		26,000		26,000
Milford Reservoir.....		170,000		170,000
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Ottawa.....	1,400,000		1,400,000	
Perry Reservoir.....		125,000		125,000
Pomona Reservoir.....	1,400,000		1,400,000	
Salina.....	2,030,000		2,030,000	
Topeka.....	2,500,000		2,500,000	
Tuttle Creek Reservoir.....	18,345,000		18,345,000	
Wilson Reservoir.....		161,000	500,000	161,000

See footnote at end of table.

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
<b>Kentucky:</b>				
Barkley Dam (lower Cumberland lock and dam), Kentucky and Tennessee.....	\$19,000,000		\$19,000,000	
Buckhorn Reservoir.....	3,527,000		3,027,000	
Fishtrap Reservoir.....		\$200,000		\$200,000
Greenup locks and dam, Kentucky and Ohio.....	10,265,000		9,265,000	
Lock and dam 41, Indiana and Kentucky.....	10,300,000		10,300,000	
Markland locks and dam, Indiana, Kentucky, and Ohio.....	11,627,000		9,827,000	
New Richmond locks and dam, Kentucky and Ohio.....	9,300,000		9,300,000	
Nolin Reservoir.....	1,800,000		1,800,000	
No. 2 Barren Reservoir.....			1,000,000	
No. 2 Green Reservoir.....				50,000
Rough River Reservoir and channels.....	2,315,000		2,315,000	
<b>Louisiana:</b>				
Amite River and tributaries.....	1,204,000		1,204,000	
Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.....	500,000		500,000	
Barataria Bay.....			1,000,000	
Bayou Chevreuil.....		42,000		42,000
Gulf Intracoastal Waterway:				
(a) Algiers Cutoff, Jefferson-Plaquemine Drainage District.....			1,420,000	
(b) Plaquemine-Morgan City alternate route.....	5,951,000		5,951,000	
Mississippi River, Baton Rouge to the Gulf of Mexico.....	900,000		900,000	
Mississippi River gulf outlet.....	5,900,000		5,900,000	
Mooringsport Reservoir, La. and Tex.....		100,000		100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
<b>Maryland:</b> Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)				
<b>Massachusetts:</b>				
Boston Harbor:				
(a) 40-foot anchorage and 35-foot area.....	853,000		853,000	
(b) 35-foot reserved channel.....			825,000	
East Brimfield Reservoir.....	1,102,000		1,102,000	
Littleville Reservoir.....		100,000		100,000
New Bedford-Fairhaven and Acushnet.....		120,000		120,000
North Adams.....	2,930,000		2,930,000	
West Hill Reservoir.....	1,000,000		1,000,000	
Westville Reservoir.....			1,800,000	
Weymouth Fore River.....	3,085,000		3,085,000	
<b>Michigan:</b>				
Battle Creek.....	1,548,000		1,548,000	
Grand Marais Harbor.....			300,000	
Great Lakes connecting channels.....	27,000,000		27,000,000	
Hammond Bay Harbor.....				20,000
Harrisville Harbor.....	532,000		532,000	
Houghton-Hancock Bridge.....	2,640,000		2,640,000	
Saginaw River.....		100,000		100,000
St. Marys River:				
(a) Improvement of South Canal.....	2,543,000		2,543,000	
(b) New Poe Lock.....		367,000		367,000
<b>Minnesota:</b>				
Mankato and North Mankato.....		47,000		47,000
Minnesota River 9-foot channel.....		67,000		67,000
Mississippi River between Missouri River and Minneapolis, Minn.: Rectification of damages. (See Illinois.)				
Red River of the North, Minn. and N. Dak.....	386,000		386,000	
Ruffy Brook and Lost River.....	300,000		300,000	
St. Anthony Falls.....	2,440,000		2,440,000	
St. Paul and South St. Paul.....		163,000		163,000
<b>Mississippi:</b>				
Aquatic plant control. (See Louisiana.)				
Pascagoula Harbor.....			1,242,000	
<b>Missouri:</b>				
Bear Creek Reservoir.....	1,032,000		1,032,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)				
Canton.....	720,000		720,000	
Cape Girardeau and vicinity (reach No. 2 only).....	157,000		157,000	
Des Moines and Mississippi Levee District No. 1.....			500,000	
Fabius River Drainage District.....	500,000		500,000	
Joanna Reservoir.....		60,000		
Kasinger Bluff Reservoir.....		150,000		150,000
Marion County Drainage District.....				73,000
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)				
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Pomme de Terre Reservoir.....	4,000,000		4,000,000	
St. Louis.....	4,200,000		4,200,000	
Stockton Reservoir.....		150,000		150,000
Table Rock Reservoir, Ark. and Mo.....	2,000,000		2,000,000	
Montana: Fort Peck Dam (2d powerplant).....	8,250,000		8,250,000	
<b>Nebraska:</b>				
Gering and Mitchell Valleys.....		50,000		350,000
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)				
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota.....	900,000		900,000	
Salt Creek and tributaries.....		90,000		90,000
<b>Nevada:</b> Truckee River and tributaries, California and Nevada.....	550,000		550,000	
<b>New Hampshire:</b> Hopkinton-Everett Reservoirs.....	5,568,000		5,568,000	
<b>New Jersey:</b>				
Delaware River, Philadelphia Naval Base to Trenton, N.J. and Pa.....	13,500,000		12,500,000	
New York and New Jersey channels, New York and New Jersey.....	2,790,000		2,790,000	
Staten Island Rapid Transit bridge, New York and New Jersey. (See New York.)				
<b>New Mexico:</b>				
Abiquin Reservoir.....	3,300,000		3,300,000	
Carlsbad.....		75,000		
Rio Grande Floodway, Cochiti to Rio Puerco.....			800,000	
Socorro.....		75,000		75,000
Two Rivers Reservoir.....			75,000	
<b>New York:</b>				
Allegheny River Reservoir, Pa. and N.Y. (See Pennsylvania.)				
Barcelona Harbor.....	506,000		506,000	
Buffalo Harbor, north entrance.....	2,150,000		2,150,000	
Buttermilk Channel.....			1,500,000	
Endicott, Johnson City, and Vestal.....	1,700,000		1,700,000	
Fire Island Inlet.....	450,000		220,000	
Great Lakes to Hudson River Waterway.....	730,000		730,000	
Herkimer.....				48,000
Hudson River, New York City to Albany 32-foot channel.....			500,000	
Irondequoit Bay.....	129,000			
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)				

See footnote at end of table.



Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
New York Harbor-New Jersey pierhead line.....			\$500,000	
Nichols.....		\$40,000		\$40,000
Ohio Street Bridge, Buffalo River.....			2,000,000	
Oswego Harbor.....	\$657,000		657,000	
Staten Island Rapid Transit bridge, New York and New Jersey.....	2,000,000		2,000,000	
North Carolina:				
Aquatic plant control. (See Louisiana.)				
Morehead City Harbor.....			600,000	
Pantego and Cucklers Creek.....		40,000		51,000
Wilkesboro Reservoir.....			1,000,000	
North Dakota:				
Garrison Reservoir.....	5,050,000		5,050,000	
Lower Heart River.....	800,000		800,000	
Red River of the North, Minn. and N. Dak. (See Minnesota.)				
Ohio:				
Belleville locks and dam, Ohio and West Virginia.....				125,000
Cleveland Harbor: Bridge replacements and dredging of Cuyahoga and Old Rivers to 23 feet.....	400,000		400,000	
Dillon Reservoir.....	5,160,000		5,160,000	
Greenup locks and dam, Kentucky and Ohio. (See Kentucky.)				
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)				
Muskingum River Reservoirs.....			500,000	
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia.....	6,800,000		6,800,000	
New Richmond locks and dam, Kentucky and Ohio. (See Kentucky.)				
Pike Island locks and dam, Ohio and West Virginia.....	3,500,000		3,500,000	
Roseville.....	284,000		284,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)				
West Branch Mahoning River Reservoir.....		220,000	525,000	
Oklahoma:				
Arkansas River and tributaries, Arkansas and Oklahoma: Bank stabilization. (See Arkansas.)				
Arkansas River and tributaries, Arkansas and Oklahoma (general studies). (See Arkansas.)				
Broken Bow Reservoir.....		134,000		134,000
Denison Reservoir, Tex. and Okla. (See Texas.)				
Enid.....	600,000		600,000	
Eufaula Reservoir.....	13,400,000		13,400,000	
Keystone Reservoir.....	10,000,000		10,000,000	
Lukfata Reservoir.....				50,000
Oologah Reservoir.....	12,500,000		12,500,000	
Pine Creek Reservoir.....				80,000
Oregon:				
Blue River Reservoir.....		105,000		105,000
Columbia River between Vancouver, Wash., and The Dalles, Oreg.: 27-foot channel.....	1,611,000		1,611,000	
Columbia River local protection: Malheur River, Vale unit.....			250,000	
Cougar Reservoir.....	9,700,000		9,000,000	
Fall Creek Reservoir.....		202,000		202,000
Hills Creek Reservoir.....	8,300,000		8,300,000	
Interstate Bridge, Oreg. and Wash.....	1,130,000		1,130,000	
John Day lock and dam, Oregon and Washington.....	20,000,000		20,000,000	
Lower Columbia River improvement to existing works:				
(a) Clatsop County Diking District No. 6.....			1 (55,000)	
(b) Multnomah County Drainage District.....	703,000		203,000	
(c) Woodson Drainage District.....			1 (81,000)	
Rogue River Harbor at Gold Beach.....	1,500,000		1,500,000	
The Dalles lock and dam, Oregon and Washington.....	7,000,000		7,000,000	
Willamette River Basin bank protection.....	500,000		500,000	
Willamette River Basin channel improvement and major drainage: Coyote and Spencer Creek.....				50,000
Yaquina Bay and Harbor.....				100,000
Pennsylvania:				
Allegheny River Reservoir, Pa. and N.Y.....			1,400,000	
Allentown.....	680,000		680,000	
Bear Creek Reservoir.....	3,400,000		3,400,000	
Bethlehem.....	1,050,000		600,000	
Bradford.....	2,400,000		2,400,000	
Brookville.....		73,000	500,000	
Curwensville Reservoir.....		200,000		200,000
Dam 8, Monongahela River, Pa. and W. Va.....	725,000		725,000	
Delaware River, Philadelphia Naval Base to Trenton, New Jersey and Pennsylvania. (See New Jersey.)				
Dyberry Reservoir.....	390,000		390,000	
Kettle Creek Reservoir.....	2,500,000		1,900,000	
Maxwell locks and dam, Monongahela River.....		95,000		95,000
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)				
Prompton Reservoir.....	1,120,000		1,120,000	
Ridgway.....		25,000		25,000
St. Marys.....		38,000		38,000
Shenango River Reservoir, Pa. and Ohio.....		150,000	500,000	
Stillwater Reservoir.....	1,500,000		1,500,000	
Turtle Creek.....				25,000
Tyrone.....		85,000		85,000
Washington, Chartiers Creek.....		78,000		78,000
Rhode Island:				
Fox Point barrier, Narragansett Bay.....		200,000		200,000
Woonsocket.....	370,000		370,000	
South Carolina:				
Aquatic plant control. (See Louisiana.)				
Hartwell Reservoir, Ga. and S.C. (See Georgia.)				
South Dakota:				
Big Bend Reservoir.....	2,600,000		2,000,000	
Fort Randall Reservoir.....	1,150,000		1,150,000	
Oahe Reservoir.....	43,500,000		43,500,000	
Sioux Falls.....	1,252,000		1,252,000	
Tennessee: Barkley Dam, Ky. and Tenn. (See Kentucky.)				
Texas:				
Aquatic plant control. (See Louisiana.)				
Brazos Island Harbor.....	1,500,000		1,500,000	
Buffalo Bayou and tributaries.....	1,650,000		1,650,000	
Canyon Reservoir.....	2,000,000		2,000,000	
Cooper Reservoir and channels.....	1,300,000		1,300,000	
Corpus Christi Bridge.....	485,000		485,000	
Denison Reservoir, Tex. and Okla.: Highway bridge at Willis Ferry site.....	700,000		700,000	
Galveston Harbor and channel, seawall.....	2,000,000		2,000,000	
Gulf Intracoastal Waterway:				
(a) Channel to Port Mansfield.....			150,000	
(b) Colorado River channel.....			400,000	
(c) Guadalupe River channel to Victoria.....	600,000		600,000	
(d) Realigned route, vicinity Aransas Pass.....	962,000		962,000	

See footnote at end of table.

Construction, general, State and project	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
<b>Texas—Continued</b>				
Houston ship channel: 36-foot channel and widening	\$1,150,000		\$1,400,000	
Lampasas Reservoir		\$125,000		\$125,000
Matagorda ship channel: 36-foot channel				150,000
McGee Bend Dam	5,800,000		5,800,000	
McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)				
Mooringsport Reservoir, La. and Tex. (See Louisiana.)				
Navarro Mills Reservoir	1,000,000		1,000,000	
Pecos		50,000		50,000
Port Aransas-Corpus Christi Waterway:				
(a) 36-foot channel and realignment at bascule bridge	1,300,000		1,300,000	
(b) Channel to La Quinta (reimbursement)			954,000	
Proctor Reservoir			300,000	
Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)				
Sabine-Neches Waterway	1,500,000		1,500,000	
San Antonio Channel	800,000		800,000	
Somerville Reservoir		85,000		85,000
Texas City Channel	913,000		913,000	
Texas City, Galveston Bay		125,000		125,000
Waco Reservoir	4,000,000		4,000,000	
Utah: Salt Lake City	1,339,000		1,339,000	
<b>Vermont:</b>				
Ball Mountain Reservoir	2,560,000		2,560,000	
North Hartland Reservoir	2,571,000		2,571,000	
North Springfield Reservoir	2,040,000		2,040,000	
Townshend Reservoir	2,500,000		2,500,000	
Virgin Islands: Christiansted Harbor (inactive)				3,000
<b>Virginia:</b>				
Norfolk Harbor: Widen 40-foot channel and Craney Island anchorages	3,654,000		3,654,000	
Pound Reservoir		194,000	2,500,000	
<b>Washington:</b>				
Chief Joseph Dam	1,100,000		1,100,000	
Columbia River between Vancouver, Wash., and The Dalles, Ore.:				
(a) 27-foot channel, Oregon and Washington. (See Oregon.)				10,000
(b) Bingen Barge Channel				
Howard A. Hanson (Eagle Gorge) Reservoir	6,000,000		6,000,000	
Ice Harbor lock and dam	32,000,000		32,000,000	
Interstate Bridge, Oregon and Washington. (See Oregon.)				
John Day lock and dam, Oregon and Washington. (See Oregon.)				450,000
Little Goose lock and dam				
Lower Columbia River improvement to existing works: Wahkiakum County Consolidated		25,000		25,000
Diking District No. 1		800,000		800,000
Lower Monumental lock and dam				
The Dalles Dam, Ore. and Wash. (See Oregon.)				
<b>West Virginia:</b>				
Belleville locks and dam, Ohio and West Virginia. (See Ohio.)			500,000	
Dam 8, Monongahela River, Pa. and W. Va. (See Pennsylvania.)			1,278,000	
East Rainelle				
Hildebrand lock and dam	1,278,000		1,278,000	
New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)				
Pike Island locks and dam, Ohio and West Virginia. (See Ohio.)			500,000	
Princeton			2,000,000	
Summersville Reservoir	4,417,000		3,417,000	
Sutton Reservoir		71,000		71,000
Williamson				
<b>Wisconsin:</b>				
Bad River:				25,000
(a) Mellen Channel				25,000
(b) Odanah, moving village and raising school				
Bayfield Harbor	131,000		131,000	
Rau Galle River				75,000
Saxon Harbor				31,000
Two Rivers Harbor			1 (74,000)	
<b>Wyoming:</b>				
Jackson Hole	650,000		650,000	
Sheridan	300,000		300,000	
Local protection projects not requiring specific legislation			3,000,000	
Snagging and clearing	600,000		600,000	
Projects deferred for restudy		10,000		10,000
Recreation facilities completed projects	1,250,000		2,500,000	
Small authorized projects			2,000,000	
Reduction for anticipated savings and slippages	-30,000,000		-43,000,000	
<b>Total</b>	649,700,000	9,100,000	666,355,100	10,259,000
Lower Columbia River Fish Sanctuary program Fish and Wildlife Service	1,200,000		1,200,000	
Coordination Act Studies, F&W			500,000	
<b>Grand total, construction, general</b>	650,900,000 (660,000,000)	9,100,000	668,055,100 (678,314,100)	10,259,000

<sup>1</sup> Not included in totals. Eligible for selection under a lump-sum appropriation for small authorized projects.

Funds provided for the Kahului Harbor and the Channel to Port Mansfield are to be available only on authorization of these two projects.

The conferees on the part of both Houses agree that there will be no objection to the acceptance of \$25,000 toward the local contribution on the Monroe Reservoir project in order to complete preconstruction planning.

Amendment No. 4: Restores House language stricken by the Senate.

Amendment No. 5: Reported in disagreement.

Operation and Maintenance, General

Amendment No. 6: Appropriates \$117,882,000 instead of \$114,382,000 as proposed by the House and \$122,382,000 as proposed by the

Senate. The increase of \$3.5 million above the House figure is for deferred maintenance.

Flood Control, Mississippi River and Tributaries

Amendment No. 7: Appropriates \$70,839,500 instead of \$68,560,000 as proposed by the House and \$75,434,500 as proposed by the Senate. The funds appropriated under this heading are to be distributed.



Projects	Budget estimate for fiscal year 1960		Conference allowance	
	Construction	Planning	Construction	Planning
1. General investigations:				
(a) Examinations and surveys.....	\$60,000		\$67,500	
(b) Collection and study of basic data.....	50,000		50,000	
Subtotal, general investigations.....	110,000		117,500	
2. Construction and planning:				
Mississippi River levees.....	\$2,500,000		\$2,750,000	
Channel improvement.....	22,500,000		23,710,000	
Memphis Harbor.....	500,000		500,000	
Greenville Harbor.....	0		0	\$60,000
Vicksburg Harbor.....	1,500,000		1,500,000	
Old River control.....	9,500,000		9,500,000	
St. Francis Basin.....	3,500,000		4,070,000	
Lower White River.....	0		0	107,000
West Tennessee tributaries.....	0		200,000	
Wolf River and tributaries.....	0		300,000	
Lower Arkansas.....	550,000		550,000	
Tensas Basin:				
Boeuf and Tensas Rivers, etc.....	920,000		1,000,000	
Red River backwater.....	80,000		80,000	
Yazoo Basin:				
Sardis Reservoir.....	50,000		50,000	
Enid Reservoir.....	50,000		50,000	
Arkabutla Reservoir.....	70,000		70,000	
Grenada Reservoir.....	30,000		30,000	
Auxiliary channels.....	1,075,000		1,175,000	
Main stem.....	750,000		750,000	
Tributaries.....	125,000		125,000	
Big Sunflower River, etc.....	1,400,000		1,400,000	
Yazoo backwater.....	0		50,000	
Atchafalaya Basin.....	5,290,000		6,095,000	
Lake Pontchartrain.....	500,000		600,000	
Total, construction and planning.....	50,890,000		54,555,000	167,000
3. Maintenance.....	17,000,000		17,500,000	
Reduction for anticipated savings and slippages.....			-1,500,000	
Grand total.....	68,000,000		70,839,500	

## TITLE II—DEPARTMENT OF THE INTERIOR

## Bureau of Reclamation

## General Investigations

Amendment No. 8: Appropriates \$4,788,710 instead of \$4,349,261 as proposed by the House and \$5,390,000 as proposed by the Senate. The increase above the House figure is distributed as follows:

Chehalis River Basin, Washington... \$66,500  
 Lahontan Basin, California-Nevada... 1,949  
 General Planning Studies..... 81,000  
 Salt Fork and Prairie Dog Town  
 Fork of the Red River Survey,  
 Texas..... 90,000  
 Fish and Wildlife Studies..... 200,000  
 Amendment No. 9: Provides that \$3,838,710 of the funds appropriated for General Investigations shall be derived from the reclamation fund instead of \$3,349,261 as pro-

posed by the House and \$4,190,000 as proposed by the Senate.

Amendment No. 10: Reported in disagreement.

## Construction and Rehabilitation

Amendment No. 11: Appropriates \$135,862,739 instead of \$128,473,239 as proposed by the House and \$142,346,000 as proposed by the Senate. The conferees are in agreement that the funds provided in this item are to be allocated to projects and activities as shown in the following tabulation:

State and project	Budget estimate	Conference allowance	State and project	Budget estimate	Conference allowance
Arizona:			Washington:		
Gila project.....	\$1,139,000	\$3,449,000	Columbia Basin project.....	\$8,000,000	\$8,000,000
Colorado River front work and levee system.....		450,000	Chief Joseph Dam, Greater Wenatchee division.....		500,000
Parker-Davis project.....	400,000	400,000	Wyoming: Shoshone project.....	110,000	110,000
Boulder Canyon project.....	2,900,000	2,900,000	Drainage and minor construction.....	937,000	962,000
California:			Rehabilitation and betterment of existing projects.....	3,500,000	3,500,000
Central Valley project.....	42,500,000	44,565,000	Subtotal (exclusive of Missouri River Basin).....	100,420,106	106,070,106
Klamath project. (See Oregon.)			MISSOURI RIVER BASIN PROJECT		
Parker-Davis project. (See Arizona.)	307,000	307,000	Kansas:		
Solano project.....	392,000	392,000	Bostwick division. (See Nebraska.)		
Ventura River project.....			Cedar Bluff unit.....		400,000
Washoe project. (See Nevada.)			Webster unit.....	3,115,000	3,115,000
Colorado: Collbran project.....	4,500,000	4,500,000	Montana:		
Idaho:			East Bench unit.....		1,000,000
Little Wood River project.....	673,618	673,618	Helena Valley unit.....	2,182,000	2,182,000
Minidoka project, north side pumping division.....	850,000	850,000	Nebraska:		
Pallsades project, Burns Creek Dam and powerplant.....		500,000	Almworth unit.....	2,000,000	
Montana: Fort Peck project.....	2,902,000	2,902,000	Bostwick division.....	2,338,000	2,338,000
Nevada:			Farwell unit.....	3,000,000	3,000,000
Boulder Canyon project. (See Arizona.)			Frenchman-Cambridge division.....	4,076,035	4,601,035
Parker-Davis project. (See Arizona.)			Red Willow Dam and Reservoir (included in Frenchman-Cambridge division).....		(525,000)
Washoe project.....	1,600,000	1,000,000	Wyoming:		
New Mexico:			Glendo unit.....	2,118,000	2,118,000
McMillan Delta project.....	100,000	100,000	Owl Creek unit.....	1,007,859	1,007,859
Middle Rio Grande project.....	1,400,000	1,800,000	Transmission division.....	15,508,000	15,334,000
North Dakota: Fort Peck project. (See Montana.)			Drainage and minor construction.....	645,000	645,000
Oklahoma: Washita Basin project.....	10,100,000	10,100,000	Investigations.....	2,000,000	1,875,000
Oregon:			Other Department of the Interior agencies.....	3,000,000	2,692,500
Crooked River project.....	2,833,000	2,833,000	Subtotal, Missouri River Basin project.....	40,989,894	40,308,394
Klamath project.....	522,000	522,000	Grand total, construction and rehabilitation.....	141,410,000	146,378,500
Rogue River Basin project, Talent division.....	2,747,788	2,747,788	Reduction for anticipated savings and slippages.....	6,000,000	10,515,761
Wapinitia project, Juniper division.....	39,700	39,700	Total appropriation.....	135,410,000	135,862,739
Texas:					
Lower Rio Grande project, Mercedes division.....	1,500,000	1,500,000			
San Angelo project.....	4,000,000	4,000,000			
Utah:					
Provo River project.....	632,000	632,000			
Weber Basin project.....	5,835,000	5,835,000			

The increase above the House figure for the Central Valley project is for design and construction of Trinity River Division power facilities.

The conferees of both Houses are in agreement that the funds provided for the Columbia Basin project are to be allocated to the various features and divisions of the project as set out in the justifications.

Funds provided for the Palisades project—Burns Creek Dam and powerplant are to be available only on authorization of the project.

The conferees are in agreement that no part of the funds provided for construction of the drainage facilities within the Wellton-Mohawk Irrigation and Drainage District (Gila project) and the drainage facility from the western boundary of that district to the Colorado River (Colorado River front work and levee system) shall be ob-

ligated until that district and each of the downstream irrigation districts which will benefit by construction of the latter facility shall agree to reimburse the Bureau annually for its proportionate share of the cost of operation and maintenance of that facility. If the benefiting districts downstream from the Wellton-Mohawk Irrigation and Drainage District shall not have entered into such an agreement by November 15, 1959, the Bureau may then obligate funds for the construction of the drainage facility within the Wellton-Mohawk District.

Funds provided for the transmission division of the Missouri River Basin project include \$800,000 for the design and construction of transmission lines in western Iowa from Sioux City to Spencer and from Sioux City to Creston. Funds for these lines were included in both the House and Senate versions of the bill and it is intended that

they be federally constructed, in lieu of the execution of a wheeling contract.

The increase above the House figure for General Investigations Missouri River Basin project is for the Garrison Diversion Unit.

Amendment No. 12: Provides that \$95,000,000 of the funds provided under the Construction and Rehabilitation heading shall be derived from the reclamation fund as proposed by the Senate instead of \$93,774,000 as proposed by the House.

Amendment No. 13: Reported in disagreement.

#### Loan Program

Amendment No. 14: Appropriates \$6,236,500 as proposed by the Senate instead of \$7,237,000 as proposed by the House. The conferees are in agreement that the loan funds provided under this heading are to be allocated as follows:

Organization	Loan	Total appropriation requirement	Fiscal year requirement if financed on annual basis		
			Fiscal year 1960	Fiscal year 1961	Fiscal year 1962
Public Law 130, requirement completed:					
Chowchilla Water District, California	\$2,650,000	\$2,633,000	\$619,000	\$1,723,000	0
Sancito Irrigation District, California	4,650,000	4,384,000	1,350,000	3,009,000	\$25,000
Public Law 984, 60-day requirement completed:					
Santa Ynez River Water Conservation District, California	3,800,000	3,774,000	1,320,000	2,454,000	0
Centerville-Deuel Creek Irrigation Co., Utah	402,000	399,500	399,500	0	0
Pleasant Valley County Water District, California	2,040,000	2,032,000	390,000	1,642,000	0
Georgetown Divide Public Utility District, California	3,878,000	3,867,000	1,647,000	2,220,000	0
Total requirements	17,420,000	17,089,500	6,016,500	11,048,000	25,000

Amendment No. 15: Reported in disagreement.

#### Upper Colorado River Basin Fund

Amendment No. 16: Appropriates \$76,369,000 as proposed by the Senate instead of \$79,819,000 as proposed by the House. The conferees are in agreement that the funds provided under this heading are to be allocated as set out in the following tabulation:

State and project	Budget program	Recommended program
<b>COLORADO RIVER STORAGE PROJECT</b>		
Arizona: Glen Canyon unit	\$47,367,000	\$47,367,000
New Mexico: Navajo unit	9,945,000	9,945,000
Utah: Flaming Gorge unit	13,000,000	13,000,000
Transmission division	720,000	720,000
<b>PARTICIPATING PROJECTS</b>		
Colorado:		
Paonia project	3,185,000	3,185,000
Smith Fork project		500,000
New Mexico: Hammond project		500,000
Utah: Central Utah project, Vernal unit	2,000,000	2,000,000
Wyoming: Seedskaadee project		1,354,000
Advance planning	818,000	818,000
Total program	77,035,000	79,389,000
Reduction for anticipated savings and slippages		3,020,000
Appropriation	77,035,000	76,369,000

#### Bonneville Power Administration

Amendment No. 17: Appropriates \$22,000,000 as proposed by the Senate instead of \$22,332,000 as proposed by the House. The conferees of both houses are in agreement that none of the \$1,055,000 provided for the Harney Electric Cooperative Service shall be obligated until the Harney Electric Cooperative Service has met the conditions imposed by the Rural Electrification Administration in the Loan Document of June 29, 1959.

#### TITLE III—INDEPENDENT OFFICES

##### Tennessee Valley Authority

Payment to Tennessee Valley Authority Fund

Amendment No. 18: Appropriates \$15,286,000 as proposed by the House instead of \$16,286,000 as proposed by the Senate.

CLARENCE CANNON,

LOUIS C. RABAUT,

MICHAEL J. KIRWAN,

BEN F. JENSEN,

Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, before I move the previous question on the conference report, I should like to ask the gentleman from New York [Mr. TABER] and the gentleman from Iowa [Mr. JENSEN] if they prefer to discuss the conference report or if they prefer to speak on the subsequent motions?

Mr. TABER. I should prefer to speak on the conference report.

Mr. JENSEN. Are we going to have 30 minutes on each side on this?

Mr. CANNON. Under the rule, we have 1 hour.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield.

Mr. FALLON. Mr. Speaker, I am informed that I was not recorded on the last rollcall. I was present and voted "yea." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CANNON. Mr. Speaker, the conference report which we submit calls for a larger amount than the similar bill called for last year. This year the amount is \$1,206,728,549. Last year it was \$70,245,264 less than it is this year.

But, Mr. Speaker, the budget estimate received from the President is higher this year than it was last year by almost \$100 million. The budget estimate received this year is \$1,176,677,000. The budget estimate received last year was \$1,077,356,000.

The bill as the House passed it totaled \$1,177,177,000. The bill as the Senate passed it was \$1,256,836,300. The conference figure is \$29,571,549 above the House bill total but \$50,087,751 below the Senate figure.

The Senate added 30 new construction starts with a total future commitment of \$586 million. Fifteen of these were deleted in conference and the remaining 15 represent a future commitment of only \$126 million.

In total, the conference bill includes 52 new construction starts and a net future commitment of \$482 million or less than 10 percent above the future commitment on projects included in the budget.

Mr. Speaker, I now yield 15 minutes to the ranking minority Member, the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, as this bill came to the House floor from the Committee for Public Works Appropriations, we were exactly on the budget figures. A small amount was added on the House floor, but it was rather inconsequential. The bill, as passed by the other body, included a number of unbudgeted items as did the House bill. The other body added almost \$80 million to the House figure. The House conferees by holding out for the House figures were successful finally in reducing the Senate figures by \$50,087,751. So the conference report



comes back to the House today \$50,087,-751 below the Senate figure, and \$29,-571,549 above the House figure, as passed by the House of Representatives originally.

This public works bill covers all irrigation, reclamation, hydroelectric power, transmission lines, and the deepening of our harbors on the seacoast as well as the deepening and broadening of channels in the interior streams of our Nation, and for flood-control projects. We have not gone hog wild in appropriating for these many projects which are so essential to the conservation of our natural resources, our soil and precious water, which in some parts of our country is known as liquid gold.

Congress has been about as conservative in appropriating money for all these public works for America as it could properly be. There are, of course, some projects I would not have included in this bill; but, generally speaking, this bill is a good bill; it is for America and America only every dime appropriated in this bill.

I have served on this committee for many years. It is an interesting committee on which to serve because one learns so much about the problems of the people in every section of America.

Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, because of the limitation of time I will say at the outset that I must respectfully decline to yield until I have concluded my statement.

Mr. Speaker, I earnestly solicit the attention of Representatives of big cities in particular, of Members from Maine, Pennsylvania, Iowa, Illinois, Texas, Minnesota, Wisconsin, Louisiana, and all points in between. In fact I would like to speak to every Member of Congress except those representing 7 percent of the people of the State of California.

This conference report contains a \$310 million giveaway. A giveaway of money by all taxpayers across this land to a small number of citizens in northern California. I refer to the \$2½ million item calling for all Federal construction of the powerplants in the Trinity project in northern California. This \$2½ million is the fingernail in the public cash register which will soon be plunged to arm's length for a giveaway of \$310 million—a giveaway to 7 percent of California at the expense of your constituents.

The Pacific Gas & Electric Co. has offered to build these powerplants with \$60 million of its own funds, not public funds, and will pay \$4½ million each year for use of the falling water from Trinity, and it will agree to sell it back any time the Federal Government needs the power for its own use. The Secretary of Interior has recommended this partnership as being in the best interests of the taxpayers.

I do not urge defeat of this conference report because of a philosophical opposition to Federal power. On the contrary I will support Federal power when it is in the public interest.

All Federal construction at Trinity is not in the public interest.

First of all the Central Valley project surplus will be \$175 million lower if Trinity is constructed as an all-Federal project. Testimony has been presented which states that the cost of generating Federal Trinity power will be 7.2 to 8.9 mills. It is also an accepted fact that a large portion of the power generated, 81 percent if present policy is continued, would go to the Sacramento Municipal Utility District at a price of 4.5 mills. We are building a power project to sell power below cost, maybe half what it costs. The argument that Trinity losses will be absorbed by other units of the Central Valley project and still leave a surplus in the fund has no validity. Can you imagine a decision by a chain store executive to add a new and unprofitable store to his chain on the grounds that those already in existence could absorb the loss and still leave a profit? This loss in surplus can only come from the pockets of water users in the Central Valley project area.

Secondly, all Federal construction will deny the Federal Treasury \$83 million in taxes which would be paid by P.G. & E. Certainly the cost of Government is not going down in the near future and the need for Federal revenue will not decrease. This means that the \$83 million loss in taxes will be borne by taxpayers all over the country.

The abovementioned losses are losses to the general public. They are losses of water users, local taxpayers, and Federal taxpayers everywhere. And who will get the benefit? For one, the Sacramento Municipal Utility District will get a handout of millions of dollars—paid for by the farmer in the Central Valley, the automobile worker in Detroit, along with the butcher, baker, and candlestick maker in every city and town across the Nation. We cannot serve the general public interest by subsidizing a very few at the expense of many.

Mr. Speaker, I am a strong believer in the reclamation program. I do not take a back seat to anyone in my support of reclamation projects. I believe the spirit of the reclamation law, and probably the letter of the law, is to dedicate power revenues to repayment of the costs of reclamation projects. Its primary purpose is not to provide cheap public power to private consumers. Federal construction would take project revenues away from general public beneficiaries as the original law intended and give it to a relatively small number of private and business consumers. If the purpose of this Congress is to provide cheap Federal and subsidized power to private consumers then let us say so. Let us not engage in subterfuge. Let us have the courage to change the reclamation law and give private consumers of power higher priority than the reclaimers and irrigators of land. If this is to be a policy let us so state it.

Senator THOMAS H. KUCHEL has said in the CONGRESSIONAL RECORD that more than \$800 million will be needed to complete presently authorized reclamation projects in California. The rest of the Nation has been good to California. In this public works appropriation bill California will receive more than \$40 million,

or over 30 percent of the total allocated to all reclamation States. In the face of our future needs, which are so urgent, is it right that California should ask the Nation to spend \$60 million on a Trinity powerplant which it does not have to spend? In all, Federal Trinity will require more than an additional \$25 million in each of the next 2 years from the rest of the Nation. Since the supply of Federal money is limited these unnecessary millions must mean one of two things: Either California must get a larger share or some of the scheduled projects must be delayed. Mr. Speaker, there is too much reclamation work that needs doing for us to spend \$60 million when it is not necessary.

Some may argue that Trinity power is needed for Federal installations. This argument is not valid since the private utility company has agreed to the right of the Federal Government to recapture Trinity power facilities in the future should they ever be needed for project pumping or for any other purpose.

There is also the argument that partnership would force the Government to pay more for its own power needs. The Secretary of Interior has testified that even after this increase is taken into consideration the partnership balance sheet still shows a credit. Let us not delude ourselves into thinking we are saving money in one pocket with lower Federal power rates by taking more out of the other pocket in lowered Federal revenue. We will never find a foolproof means of robbing Peter to pay Paul.

Mr. Speaker, we are all concerned about our debt limit and the financial crisis facing us as a Nation. If we allow all Federal construction we will lose the revenues I have previously mentioned. We will increase expenditure by \$60 million at a time when we are concerned with cutting expenditures. Let us not forget the Public Works projects, not only in California but in all of the other States, which must be built in the future. Let us not rob the revenues which can build those projects or spend money now which need not be spent. Let us think of the general public interest and not the interests of a few.

Trinity partnership is in the general public interest. I urge that this conference report be rejected. If we vote in the general public interest it will be.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to compliment the gentleman on his statement. The gentleman, I think, knows that this is one item in the bill that I have opposed with all my strength, for certainly it cannot be justified by any stretch of the imagination. We could take these many millions of dollars that is proposed to spend for this Trinity powerplant and use it for many other things that we need badly for America. For instance, we need more funds for flood control in many areas of our country, but so long as we spend so recklessly for such unjustified projects as Trinity, other much needed projects will suffer.

The SPEAKER. The time of the gentleman from California has expired.

Mr. CANNON. Mr. Speaker, we are having a unique experience here this afternoon. For the first time within my recollection the gentleman from California objects to spending money in California.

This is an old, old fallacy that is so assiduously circulated that the Federal Government is paying for all these improvements, for all these advantages. Public power has made America great. The taxpayers, he says, are paying for it. Mr. Speaker, the taxpayer does not pay one penny. Every dollar of it is paid back with interest. I think that it speaks for itself. The only opportunity that we have of using these sites which nature has given us, of utilizing the resources which nature has provided, is through this bill. If the Federal Government does not build these plants and supply this power it will not be installed, it will not be available at a time when there is an ever-increasing demand for power for the industrial development of this Nation.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I would like to direct the attention of the distinguished chairman of the committee and members to the deletion by the conference committee of \$200,000 which was allocated for planning of Erie Railroad Bridge No. 19 on the Cuyahoga River, which is slightly south of Cleveland Harbor. That is one of the seven bridges that have been obstructing navigation in the Cuyahoga River. Six bridges have been satisfactorily reconstructed. The city of Cleveland money and other non-Federal funds have contributed over \$25 million of the total expenditure of \$50 million. Now, this bridge is the last obstruction on the river. Replacement of the bridge which will remove this obstruction will enable the larger vessels that will be plying trade on the St. Lawrence Seaway to navigate the river. I hope the gentleman can assure us that there will be an effort made to restore that money next year so that planning for the bridge may be initiated and completed. This bridge will cost over \$9 million. More than half of it, of course, will be paid by the city of Cleveland and other non-Federal contributors.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. KIRWAN], who is probably as familiar with that situation as anyone in the Congress or the Nation, to answer.

Mr. KIRWAN. There was no budget estimate for this item and when the bill passed the House there was no money in the bill for the project. The other body inserted in the bill \$200,000 for planning. I know that the gentleman in the well of the House as well as the other Congressmen were for this project and always have been for it. I know it is not proper to speak about a Member of the other body, but when this bill was being considered in the Senate, the senior Senator from Ohio voted to recommit it. So as long as he votes to recommit the bill to cut it back to the budget figure, Cleveland is going to have difficulty getting this project without a budget estimate.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I want to say that I concur with my colleague, the gentleman from Ohio [Mr. FEIGHAN], on this plea for \$200,000 for planning money. The gentleman from Ohio [Mr. FEIGHAN] and I appeared before the Appropriations Committees of the House and Senate urging inclusion of this planning money. The item was stricken out. It is very important to remove this bridge, which is a very dangerous impediment to navigation. I just want to say that I regret the circumstances under which this deletion came about, and I hope that your committee will look with favor on this program next year.

Mr. KIRWAN. Not unless the gentleman over there looks with more favor upon appropriations for a public works program.

Mr. VANIK. I want to say in reply to that that I hope that our community can become united on this matter to the end that impediments to navigation may be removed, so that our city may keep pace with the other Great Lakes cities in connection with the commerce that is coming on the seaway.

Mr. KIRWAN. I say that there is no finer city on earth than Cleveland, Ohio. I am for Cleveland. I am for both of the Members here who are doing such an excellent job and making every effort to have this item included. But I again say that Cleveland will have difficulty without a budget request as long as the Senator votes to recommit the bill as he did this year.

Mr. VANIK. The gentleman may be assured that the two Members of the House to whom he has referred who have just spoken, are going to try to do everything they can for this project.

Mr. KIRWAN. I shall be happy to help Cleveland and the two Members I have referred to.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from New York [Mr. TABER].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, frankly, I am opposed to this bill. I am not going to ask for a rollcall on it because I recognize the temper of the House. There are a lot of things in it that are not good; they start projects above the budget and projects are started that have had no budget estimate.

We have gotten to the point where the appropriations on this bill run away up into quite considerable figures; \$668 million for regular rivers and harbors and flood control operations; \$70,800,000 for the lower Mississippi; \$135,862,000 for reclamation.

The whole picture of appropriating money year after year has gotten to the point where it is a menace to the finances of the Government.

The gentleman from California spoke about an item of \$2,425,000 to build a powerplant at the Trinity River. There they had the law rigged in such a way that it will cost them, according to Secretary Seaton in his testimony before the House Committee on Interior and Insular Affairs, 8.9 mills to produce; and they will sell it to so-called preferred customers for 4.5 mills. That is a nice kind of project for which to appropriate money. Waterpower is not an asset if you cannot harness it and have it produce electricity so that it can compete with other power producers and compete properly. For that reason I do not like that project. I hope before the next year rolls around that we will be able to get things organized so that we will cease to bring in programs of that kind, and we will be able to help in some way to balance the budget instead of running over the budget all the time.

Mr. GOODELL. Mr. Speaker, I rise in opposition to the final commitment in this conference report to construct the Allegheny River Reservoir, commonly known as the Kinzua Dam. I would like to express my views on this decision of the House-Senate conference committee on public works appropriations. That committee has decided to discard the language of the House bill which would call for an independent study of the Kinzua Dam project on the Allegheny River, located substantially within my 43d District of New York, before any further money is expended on said project. The Senate version of the same bill provided for funds which would provide the means to begin construction of the Kinzua Dam immediately upon approval.

Since the original authorization of the Kinzua Dam, Dr. Arthur E. Morgan, former Chief Engineer for the Tennessee Valley Authority, has submitted several long reports which cast considerable doubt on the advisability of the Federal Government proceeding further with the Kinzua Dam project without further study. Dr. Morgan, after careful study, has suggested a possible alternative to the Kinzua Dam—a dam to be located in the Conewango Valley of New York.

In summary, Dr. Morgan alleges the following advantages of his proposed project over the Kinzua Dam:

First. The Conewango project would protect Pittsburgh, Warren, and other Pennsylvania cities from floods from the upper Conewango Creek as well as the Allegheny River. The Kinzua Dam would not affect the upper Conewango.

Second. The Conewango project would provide three times as much water storage as the Kinzua project.

Third. The Conewango project would be cheaper than the Kinzua project.

Fourth. The Conewango project would be simpler to construct and would take 2 years less to complete than the Kinzua project.

Fifth. The Conewango project would amply protect against 2½ to 3 times as much floodwater as the Kinzua, while



the Kinzua project would protect Pennsylvania cities against only half the maximum probable flood.

Sixth. The Conewango project would create a permanent lake 28 square miles in area with a variation in water level of 10 to 20 feet from high water to low water. The Kinzua project would create a lake 4 square miles in area with a fluctuation in water level of 80 to 100 feet.

At this stage I do not feel that a fair comparison of these two projects can be made, since the recommendations and conclusions of Dr. Morgan differ radically from those of the Army Corps of Engineers. However, most of the crucial statements made in Dr. Morgan's reports are apparently uncontradicted by the Army Engineers.

It is contended that an independent study, made by the Tippetts-Abbott-McCarthy-Stratton engineering firm of New York City, is sufficient. It would appear from the reports that the Tippetts firm did not direct its attention or study to most of the key points now at issue. In the words of Dr. Morgan:

The Conewango-Cattaraugus site is a rare occurrence in nature. Being out of the ordinary and unexpected, it is not surprising that the possibility was overlooked. \* \* \* I have dealt with this situation from the background of more than 50 years of almost uninterrupted experience with water control projects. Incidentally, several of my most striking successes have resulted from a persistent policy of overall exploration of situations in search of unexpected possibilities which conventional or routine engineering had overlooked. At this late date I would not risk my professional reputation on an irresponsible venture. I am thoroughly convinced that my conclusions are sound.

I am convinced that the independent study made by the Tippetts-Abbott-McCarthy-Stratton engineering firm of New York City did not adequately consider many of the factors which have been raised by a highly qualified engineer.

The Congress is here providing funds for a project which will cost more than \$100 million before completion. At stake is the protection of the Pennsylvania communities from flood danger, an objective I wholeheartedly endorse.

The spending of this amount without a complete analysis causes me to rise to object to this portion of the bill now. No layman can, at this time, decide on the merits of either proposal, with the information at hand. I do not support either the Kinzua or the Conewango proposals. It is for exactly those reasons that I submit that further study is needed.

We are faced here with an example of the fast spending to be universally decried in all branches of the Government. It is an example of inefficient wrong-headed spending. We should have the real, reliable facts before undertaking this project or the Conewango project or any other project. I therefore strenuously object to the overhasty action of the conference committee, particularly the Senate Members, in approving this item in the public works appropriations for 1960.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, as chairman of the House Committee on Interior and Insular Affairs, I wish to thank all of the members of the great Committee on Appropriations for the fine and much appreciated consideration they have given to the reclamation program in the last 2 years. A year ago, nine new starts were authorized. Most of them are under construction at the present time. In this appropriation bill, six new starts are authorized and one other has received a conditional appropriation of funds. I think that such attention is a fine record of an understanding and friendly position taken by our Committee on Appropriations. I thank them and commend them on their favorable decisions.

But, Mr. Speaker, it is a keen and personal disappointment to me that the conference committee on the public works appropriation bill has deleted the \$1 million which the Senate added for initiating construction of the Curecanti unit of the Colorado River storage project. As I pointed out and emphasized to the House Appropriations Subcommittee on Public Works when I appeared before it in May, the Curecanti storage unit is an important and necessary part of the plan of development for the Upper Colorado River Basin water resources. It was authorized along with the Glen Canyon, Flaming Gorge, and Navajo units in 1956, and construction should have been underway by now.

Because plans for the Curecanti unit were not entirely firm at the time of authorization of the Colorado River storage project, construction of the unit was made subject to a certification by the Secretary of the Interior with respect to its feasibility. A little history contributing to this situation is of interest. In 1950 the Department of the Interior recommended, in its feasibility report, a single reservoir on the Gunnison River with a capacity of 2,500,000 acre-feet which would back water to within 1 mile of Gunnison, Colo. This was not agreeable to the local people and was rejected by the State. At the suggestion of the State, consideration was then given, in 1953, to a 940,000 acre-foot reservoir. Feasibility studies of this proposal led to consideration of two-dam and three-dam plans. These plans were still under study in 1956 when the Colorado River storage project was authorized and this explains why construction of the Curecanti unit was made subject to a certification by the Secretary of the Interior with respect to feasibility.

It is my personal feeling that the Department of the Interior might have moved more expeditiously in the preparation of the required feasibility report. Such report with the Secretary's certification was not submitted to Congress until July 14, 1959, less than a month ago. The final plan for the Curecanti unit calls for the construction of two dams with a total capacity of 1,030,000 acre-feet and installed power-plant capacity of about 100,000 kilowatts. The Secretary of the Interior certified that the benefits from this plan would exceed its cost and that construction of the unit could be undertaken. I recognize that the required certification by the

Secretary had not been made at the time the House Appropriations Committee considered the fiscal year 1960 appropriation bill. Further, I am fully aware of the fact that the 1960 budget submitted by the administration included no funds for the Curecanti unit. I went into these procedural difficulties fully with the subcommittee. Certainly, the fact that all legal requirements had not been met at that time made it difficult for the House Appropriation Committee to include construction funds. However, since the required feasibility certification was made subsequent to House action on the bill and, as a result, funds were added by the Senate, it had been my hope—and I endeavored to develop such hope to reality—that the funds could be retained. I regret that the conference committee decided otherwise.

Work on the Curecanti unit, for all practical purposes, is now at a standstill. If I am advised correctly, the need now is for construction funds in order to proceed with the final designs and specifications. I certainly hope that the Department of the Interior, working with the Bureau of the Budget, will submit to the Congress a request for a supplemental appropriation for the Curecanti unit so that the Appropriations Committees may consider this matter again early next year. Such early consideration would permit constructive attention to this worthwhile and badly needed project during fiscal year 1960. If funds are not made available through a supplemental appropriation, certainly the regular fiscal year 1961 budget should not fail to include an administration recommendation for funds for the Curecanti unit. I am most appreciative to the committee for a small amount of construction funds to get the small but important Smith Fork participating project under way.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. JOHNSON of California. Mr. Speaker, I sincerely hope the House will see fit to adopt the public works appropriations conference report.

There are a number of items of interest to my district contained in the bill, but the one I want to emphasize at this time is the \$2,415,000 provision to initiate the power facilities on the Trinity Dam project, a unit of the Central Valley project.

The proposition as to how the power should be developed has been under discussion for some time. Those of us who believe the multipurpose dam should be put to its maximum use for the greatest benefit of the taxpayers have always advocated that the Government should construct and operate the power features. The Pacific Gas & Electric Co., which operates in northern California, advocated that a partnership plan be worked out whereby the taxpayers pay for the construction of the dam, but the utility company be permitted to construct and operate the power facilities through the purchase of falling water.

Legislation in behalf of the partnership proposal has been turned down twice

by the House Interior Committee. First in 1958, and again just the other day. I think that this shows once and for all that the issue is dead and need not be held important in considering the item in the bill under consideration today.

If there is any doubt in the minds of my colleagues it should be pointed out that Federal development of power has the endorsement of our two U.S. Senators, the Governor, and State legislature.

In appearing before the Appropriations Subcommittee I pointed out that construction of Trinity Dam is running ahead of schedule and that unless planning, designing, and actual construction of the power facilities do not keep pace it will mean a loss to the Government of about \$5.5 million in power revenues for each year the power features are delayed.

I am happy the conference committee agreed that the power development should keep pace with the overall construction of the Trinity diversion project by recommending this \$2,415,000 item, and I hope the conference report will be adopted.

Mr. ASPINALL. Mr. Speaker, may I say to my colleagues of the House that the power project at Trinity Dam is a good project and it will not cost the Federal Government what it has been stated on the floor of the House it will cost. I have supported the Federal installation and operation of the power facilities of the Trinity unit of the Central Valley project because I do not wish to see this great integrated project in the Sacramento and San Joaquin Valleys of California dismembered and partitioned. I sincerely believe that this particular unit of the whole project is necessary to carry out the plans of the originators of this great reclamation development. I am glad to see that the House Committee on Appropriations has made provision for the start of construction of the generating facilities which will provide for the repayment of the cost of construction of the Trinity Dam and related facilities and at the same time furnish much needed power to the people of that area.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Speaker, I take this time to inform the Members of the House of a very serious injustice done to the people of southern Illinois and the Nation in deleting funds with which to continue a study of the Big Muddy River and Beaucoup Creek canalization project. A \$30,000 item was requested in the budget for this study and was deleted by the committee. I am not here to blame any one person because I am certain that someone has received erroneous information.

Under the rules of the House, I will be unable, of course, to offer an amendment to this conference report. However, I want to clear up the record as far as this project is concerned because I am sure these funds will be restored next year.

The committee report gives the following reasons for deleting the funds:

This project was one previously found unfeasible, the water supply of the stream is

inadequate to support navigation, and the committee is of the opinion that navigation will never be so badly needed that it has to be provided with supplemental water by pumping or other means.

Mr. Speaker, the language contained in this report is completely erroneous. First, the present survey under way on the Big Muddy River and Beaucoup Creek is in no way similar to the 1933 survey made that was found unfeasible and referred to in the report. The 1933 survey was on 35 miles of the lower reaches of the river and did not take into account the billions of tons of coal deposits that are presently landlocked and for which we are now surveying 66 miles of the Big Muddy River. Furthermore I am amazed at the action of the committee in trying to pass judgment on the merits or demerits of a project before the Army Corps of Engineers are halfway through with a full scale study. This certainly is not the long-established procedure of Congress.

The Committee on Public Works of which I am a member approved a survey of this project. The Committee on Appropriations last year allowed my request for \$120,000 to begin a full scale survey of this project and the Engineers and the Bureau of the Budget asked for \$30,000 with which to continue work for fiscal 1960 and now we have this committee taking this unusual action of stopping a meritorious project in the middle of a survey. This action reminds me of the fellow who was going to swim across a lake a mile wide and when he reached within 10 yards of the opposite shore he decided he could not make it and turned around and swam back.

That is exactly what has happened here. We have spent over \$120,000 of the taxpayers' money to seek valuable information and now the committee wants to lose that amount of time and money by not providing the remainder of the funds needed. As to whether or not this is a feasible project let us turn to the record. I quote from the official report of the Army Corps of Engineers dated April 29, 1958, not in 1933. This report was made under the old procedure of making a preliminary examination report before proceeding with a full-scale study. The preliminary report was ruled upon by not only the Chief of the Army Corps of Engineers but also the Board of Engineers for Rivers and Harbors composed of division engineers. The report is as follows:

The Board recommends that a survey of Big Muddy River and Beaucoup Creek be accomplished to determine the best plan for improvement in the interest of navigation, the advisability of its accomplishment, and the local cooperation which should be required.

Mr. Speaker, this action came after a preliminary examination and close scrutiny of this project by the top engineering minds of the country, therefore, with all due respect to the distinguished members of this committee I cannot understand for the life of me, why they would want to pass judgment on a project before a report has been half way completed. I again remind you that this is a 1958 report on a completely different project than the one referred to by the

gentleman from New York [Mr. TABER] in the hearings. He referred to a 1933 report on a completely different type project, and has no bearing on the intended purpose of providing navigation for our billions of tons of high quality coal that is presently land locked. This is a very meritorious case and by all means is certainly worthy a report to determine once and for all whether or not there is a favorable cost benefit ratio. I do not believe it is fair for the committee to call the baby unfair names before it is even born.

Mr. Speaker, since the funds were deleted by the committee I went to the Senate and requested the Senate Appropriations Committee to restore this item. I quote from the Senate hearings on pages 3122 and 3123 when Senator ELLENDER asked General Person about the Big Muddy and Beaucoup projects. Senator ELLENDER said:

General, the House committee in its consideration of the bill specifically eliminated certain surveys included in the budget estimates. Would you furnish for the record at this point statements with respect to such investigations?

The first statement submitted for the record was the Big Muddy project. Here is what General Person told the committee just a few weeks ago:

The investigation thus far indicates that prospects of engineeringly and economically feasible navigation project on the river are sufficiently favorable.

In addition to the above, Mr. Speaker, General Person went on to point out in his testimony that the Big Muddy survey and the Kaskaskia River basin are contiguous and navigation improvements on either river would serve adjoining and overlapping coalfields. Therefore, it is wise to make the two surveys concurrently, in order to determine which project is warranted. It would not be feasible to improve both channels, therefore it is imperative that funds be allowed to continue the Big Muddy survey in order to determine which of these plans is the better. Funds have been spent for both Big Muddy and Kaskaskia River studies. It makes sense to conclude both studies at the same time in order to save the taxpayers money by approving only the most feasible project.

Mr. Speaker, I have discussed this project with members of the committee and I feel that they are fully aware of the need to complete this study and they have assured me that they will give us a full hearing next year. I am therefore going to vote for the adoption of the conference report and hope that we will be able to get the funds next year.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I hope you paid attention to our colleague, the gentleman from California [Mr. GUSSE] when he spoke about the Trinity project. Members of the House who were here in the 84th Congress will recall the authorization for the Trinity project at which time you were informed that it would be a tremendous project, and that the House was going to get the opportunity to vote on whether or not the



Federal Government would accept an offer to have someone else build these power features. The House never has had that opportunity. Because they have never had that opportunity, this conference report has added the money to build Trinity. I can say to my friends from California, I expect next year to offer as an amendment to the bill for the San Luis project the power features of Trinity, and to bring this matter to the floor and let us have it decided. I might say to my colleague, the gentleman from Colorado, that he has lost two good projects because they have taken the money and given it to California.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I am very much disappointed that the public works appropriation bill for 1960 as submitted by the conference omits what many of us consider to be one of the single most important items which has been considered.

I refer to the request for \$200,000 in planning funds for the Miller's Ferry Lock and Dam on the Alabama River.

Failure of this appropriation to be approved at this time is another setback for those of us who have fought for this item for so long. But more than that, it is a serious shattering of the faith a lot of people have in the Federal Government for this particular project.

This project, a multipurpose dam and locks, was authorized by Congress by the 79th Congress in 1945, 14 long years ago. It along with two other authorized dams on the Alabama River were envisioned by the Corps of Engineers, the 79th Congress, and many people in the South, as an important part in the ultimate development of the Coosa-Alabama Waterway which flows from Rome, Ga., to the Gulf of Mexico.

We were given reason to believe our dreams were worthwhile and soon to be answered.

President Eisenhower in 1955 made mention of the plan for the development of this waterway in his state of the Union message. He called it a partnership project, with private industry and the Federal Government working alongside one another in double harness for the well-being of all concerned.

Private industry has carried its share of the load. On the upper stretches of the waterway, Alabama Power Co. already has embarked on a multimillion dollar dam-building program which will revitalize a large basin in Alabama and Georgia, and which could turn the Coosa-Alabama River valley into an industrial fairland.

But the Federal Government has fallen down on its pledge.

The Congress authorized the Millers Ferry Dam. It is an important part of the program which has been found to be economically feasible by the Corps of Engineers, who urge that the work on the Alabama River should be done first. Despite this, we have consistently been refused even the barest minimum for planning the construction work which is already authorized.

Of course, I am disheartened. I know the vast potential of the Coosa-Alabama Waterway, the natural and human resources which abound there. I know the industrial, navigational, and recreational opportunities which are being missed every year that this development is not begun.

There were many so-called new starts in this public works appropriation bill, and Millers Ferry was not included, even though the Congress, the Federal Government, and the President have encouraged us to believe it would be done.

I am not giving up the fight. We will come back before Congress again next year, and the next year, and the next year, if necessary, beseeching Congress to fulfill a clear obligation and bring nearer the utilization of the potentialities of the Coosa-Alabama River system.

Mr. CANNON. Mr. Speaker, I would like to call attention to an error in the CONGRESSIONAL RECORD on page 14325 in the manager's statement, the amount shown for "General Investigations of the Bureau of Reclamation—General Planning Studies" should be \$81,000 instead of \$1,949 as printed. This error does not occur in the official conference report as printed.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 17, insert "Provided, That \$50,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 4, after "Reservoir", strike out the balance of line 23 and all of lines 24 and 25 and lines 1 and 2 on page 5, and insert the following: "Provided further, That \$500,000 of this appropriation shall be transferred to the United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: page 8, line 18, insert "Provided further, That \$200,000 of this appropriation shall be transferred to the

United States Fish and Wildlife Service for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563-565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Bureau of Reclamation."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 9, line 21, insert "Provided further, That not to exceed \$25,000 of the funds appropriated in this paragraph shall be available for the construction of safety and public-use facilities at the Alamogordo Dam (Carlsbad project), New Mexico, which shall be nonreimbursable and nonreturnable."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 11, line 3, insert "Provided, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet approved by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert "Provided, That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### VETERANS PENSION ACT OF 1959

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, with Senate amendments thereto and concur in Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12, and disagree to Senate amendment No. 11.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

#### SENATE AMENDMENTS

1. Page 5, line 1, strike out "column II" and insert "columns II, III, or IV."

2. Page 5, under the heading "Column II" in table insert "One dependent."

3. Page 5, as part of table, insert:

Column III Two dependents	Column IV Three or more dependents
\$95	\$100
75	75
45	45"

4. Page 5, line 10, strike out "or 50 per centum."

5. Page 5, lines 10 and 11, strike out "whichever is the greater".

6. Page 9, after line 17, insert:

"SEC. 6. Section 3203 of title 38, United States Code, is amended (1) by deleting 'pension, compensation, or' wherever it appears in subsections (a) (1) and (b) (1) and inserting in lieu thereof 'compensation or'; (2) by redesignating subsection (d) as '(e)'; and (3) by inserting a new subsection (d), as follows:

"(d) (1) Where any veteran is being furnished hospital treatment, institutional, or domiciliary care by the Veterans' Administration, no pension in excess of \$30 per month shall be paid to or for the veteran for any period after (a) the end of the second full calendar month following the month of admission for treatment or care or (b) readmission for treatment or care within six months following termination of a period of treatment or care of not less than two full calendar months.

"(2) Where the payment of pension to any veteran is subject to the provisions of paragraph (1) of this subsection the Administrator may apportion and pay to his wife or children the balance of the pension which the veteran would receive but for such paragraph (1)."

7. Page 9, line 18, strike out "6" and insert "7."

8. Page 10, line 10, strike out "7" and insert "8."

9. Page 10, line 19, strike out "8" and insert "9."

10. Page 11, strike out line 20.

11. Page 11, after line 20, insert:

"Sec. 10. (a) That subchapter I of chapter 19 of title 38 of the United States Code is amended by inserting at the end thereof the following new section:

"§ 725. Limited period for acquiring insurance.

"(a) Any person who served on active service (as defined in the National Service Life Insurance Act of 1940, as amended, prior to its repeal) between October 8, 1940, and April 24, 1951, both dates inclusive, shall, subject to the conditions and limitations prescribed in paragraph (2) of section 602(c) of the National Service Life Insurance Act of 1940, as amended, be granted insurance in accordance with the provisions of such paragraph upon application in writing made within one year after the effective date of this Act in the same manner and to the same extent as if such paragraph had not been repealed.

"(b) Any person heretofore eligible to apply for insurance under section 620 or 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application made in writing within one year after the effective date of this Act, be granted insurance in accordance with the provisions of section 620 or 621 of such Act, subject to the conditions and limitations of such sections, respectively (other than limitations with respect to the time for filing application), in the same manner and to the same extent as if such sections had not been repealed, except that where application for insurance pursuant to section 621 of such Act is made more than one hundred and twenty days after separation from active service the applicant shall be required to submit evidence satisfactory to the Administrator of good health at the time of such application. In-

surance authorized to be granted by this subsection in accordance with the provisions of section 621 of the National Service Life Insurance Act of 1940, as amended (prior to the repeal of such Act), shall be on the limited convertible term or permanent plans of insurance and the premiums shall be based on table X-18 and interest at the rate of 2½ per centum with an additional amount for administrative costs as determined by the Administrator. The Administrator is authorized to transfer annually an amount representing such administrative cost from the revolving fund to the general fund receipts in the Treasury.

"(c) All premiums paid and other income received on account of national service life insurance granted under the authority contained in subsection (a) shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such insurance.

"Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such insurance from the national service life insurance fund to the national service life insurance appropriation."

"(b) The analysis of subchapter I of chapter 19 of title 38 of the United States Code is amended by adding at the end thereof the following:

"725. Limited period for acquiring insurance."

12. Page 11, after line 20, insert:

"Sec. 11. This Act shall take effect on July 1, 1960."

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, is anything available to the Members which would indicate what this is about and what was agreed upon?

Mr. TEAGUE of Texas. Mr. Speaker, I was seeking recognition to ask that further reading of the amendments be dispensed with and that I be given an opportunity to explain the amendments.

Mr. Speaker, there are four amendments which were voted in the other body at the time this bill was passed 86 to 6. Three of those amendments are very minor in nature and one, in my opinion, is a major amendment which would give all World War II veterans an opportunity to reinstate their insurance. That amendment is not germane to the bill we passed here and, in my opinion, should not be included at this time. That is the amendment to which I propose that the House disagree.

Mr. Speaker, the other three amendments are very minor in nature. Two of them will save a little money, one will cost a little money.

The bill as it passed the House would pay a man with an income of \$1,000 or less \$90 a month. The other body changed that so that if the man had two dependents it would pay him \$95; or, if he had more than two dependents, it would pay him \$100.

Another amendment that is minor in nature is this: The bill as it passed the House provided that the spouse's income would be counted up to \$1,200, or 50 percent of her income. The other body struck out that provision of 50 percent.

Mr. Speaker, the other amendment provides that if a single veteran goes into

a Veterans' Administration hospital after 2 months his pension would be reduced to \$30 a month with the provision that the Administrator of Veterans' Affairs might apportion that money to his family if the Administrator determined it would be the proper thing to do.

Those are the only changes that were made in the bill as it passed the House.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield.

Mr. ADAIR. There has been some question as to the effective date under the proposal as to the widow's equalization feature. Would the gentleman explain to the House what the effective date is now proposed?

Mr. TEAGUE of Texas. The bill as it was reported by the Senate committee provided that the effective date for that section would be 1962. The bill as it passed the Senate yesterday has the same effective date as it passed the House July 1, 1960.

Mr. ADAIR. July 1, 1960?

Mr. TEAGUE of Texas. That is correct.

Mr. ADAIR. If the gentleman will yield further, the minority has been consulted and informed upon this point and are in agreement with the gentleman from Texas.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand the Senate restored the same rate of pension for ex-servicemen as it left the House?

Mr. TEAGUE of Texas. That is correct.

Mr. ROGERS of Colorado. There is no disagreement as to that?

Mr. TEAGUE of Texas. There is no disagreement.

Mr. ROGERS of Colorado. And the same rate except for two minor exceptions that were made as the gentleman has outlined?

Mr. TEAGUE of Texas. Correct.

Mr. ROGERS of Colorado. However, the effective date as reported by the Finance Committee was July 1, 1962?

Mr. TEAGUE of Texas. For the bill generally it was July 1, 1960; for the widows equalization feature the Senate committee selected the date of July 1, 1962.

Mr. ROGERS of Colorado. You have now modified that to where it is July 1, 1960?

Mr. TEAGUE of Texas. The same as it was when it passed the House. All sections take effect July 1, 1960.

Mr. ROGERS of Colorado. It passed the House with that date?

Mr. TEAGUE of Texas. That is correct.

Mr. ROGERS of Colorado. The widows of World War II and the Korean war are brought in under this bill the same as the widows of World War I?

Mr. TEAGUE of Texas. That is correct. A major part of the first year's cost goes to widows and orphans.

Mr. ROGERS of Colorado. The Senate bill provided that persons who had service life insurance and it lapsed will



have 1 year in which to get it reinstated; is that correct?

Mr. TEAGUE of Texas. That is true. And that is the amendment that I propose the House disagree with.

Mr. ROGERS of Colorado. That is what the gentleman is going to take to conference?

Mr. TEAGUE of Texas. I would hope that this would go back to the other body and it would accept it as we send it back.

Mr. ROGERS of Colorado. The gentleman takes the position that one who had life insurance that has lapsed should not have the privilege of reinstating within a year; is that the question?

Mr. TEAGUE of Texas. I take the position that this amendment is of sufficient importance it should not be included in this pension bill, that it should be considered as a separate bill.

Mr. ROGERS of Colorado. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday afternoon I went to the Senate to watch the Senate's action on our House bill, H.R. 7650, and therefore I missed the recorded vote on the Landrum-Griffin amendment, much to my regret. Fortunately I was on the floor to vote against recommitting the labor bill and for the labor bill with that amendment.

I am very glad that the Senate acted on our House bill. I am not quite satisfied with the action that they took, as I hoped for a more liberalized bill, but I think under the circumstances it is the best that could be done with a very involved bill. I hope in the future when we pass veterans' legislation we will pass each individual bill instead of passing a package bill that will give benefits to some and take away benefits from others. In this bill, as it was finally passed and approved by the Senate, in the main, there are a good many benefits. The gentleman from Oklahoma [Mr. KERR] made a masterly presentation of his amendment to H.R. 7650.

#### HERE ARE THE DIFFERENCES BETWEEN THE HOUSE VERSION OF H.R. 7650, 86TH CONGRESS, AND THE SENATE VERSION

1. Rates for veteran with dependents: In the House bill rates were \$90, \$75, \$45 for a veteran with one or more dependents. In the Senate version the top rate of \$90 increased to \$95 for two dependents and \$100 for three or more dependents. (No change in \$75 and \$45 rates.)

This is an improvement over the House bill.

2. Spouse's income: House version excludes \$1,200, or 50 percent of spouse's income,

whichever is greater. Senate version excludes \$1,200 only.

This is a Senate limitation.

3. Reduction during hospitalization: (No provision in House version.) Senate version reduces pension to \$30 at end of second calendar month after admission to VA hospital; may apportion balance to wife or children. (No lump sum payable on discharge.)

This is a Senate limitation.

4. Insurance: (No provision in House version.) Senate version reopens NSLI program for 1 year: (1) for persons in service between October 8, 1940, and April 24, 1951 (participating insurance); (2) RH insurance (for service-disabled) for persons discharged after April 24, 1951, and before January 1, 1957; (3) RS insurance (nonparticipating insurance) for persons discharged after April 24, 1951, and before January 1, 1957. Except service-disabled insurance, dividends to be reduced and premiums increased to cover administrative expense. Additional VA appropriations required.

Mr. Speaker, I ask unanimous consent that these remarks may be placed in the RECORD following those of the gentleman from Texas [Mr. TEAGUE] at the time he brought up the pension bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. The following is a description of the House version of H.R. 7650, with Senate amendments:

#### NON-SERVICE-CONNECTED PENSIONS, H.R. 7650

Title: An act to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children and their dependents.

Mr. TEAGUE of Texas. Introduced and referred June 10, 1959.

(Matter to be omitted by Senate Committee on Finance is shown in black brackets and new matter added by Senate committee shown in italic.)

1. Provides a sliding scale of pensions based on the income and dependency status of the recipient. Such scale of pension rates applies to veterans, and to widows and children, as indicated below:

#### VETERAN, NO DEPENDENTS

Annual income		Monthly pension
More than—	But equal to or less than—	
\$600	\$600	\$85
1,200	1,200	70
	1,800	40

#### VETERAN, WITH DEPENDENTS

Annual income		Monthly pension		
More than—	But equal to or less than—	Veteran and one dependent	Veteran and two dependents	Veteran and three dependents
\$1,000	\$1,000	\$90	\$95	\$100
2,000	2,000	75	75	75
	3,000	45	45	45

Above rates increased by \$70 when veteran needs regular aid and attendance. In addition, for this group the Administrator may furnish an invalid lift. (Invalid lift benefit applies to all wars.)

#### Widows and children WIDOW, NO CHILD

Annual income		Monthly pension
More than—	But equal to or less than—	
\$600	\$600	\$60
1,200	1,200	45
	1,800	25

#### WIDOW, ONE CHILD<sup>1</sup>

Annual income		Monthly pension
More than—	But equal to or less than—	
\$1,000	\$1,000	\$75
2,000	2,000	60
	3,000	40

<sup>1</sup> Plus \$15 for each additional child.

#### NO WIDOW, ONE OR MORE CHILDREN

Annual income equal to or less than (earned income excluded)—	Monthly pension
\$1,800.....	\$35 for one child and \$15 for each additional child.

2. All income, regardless of source, counts except—

(a) Payments of the 6 months' death gratuity;

(b) Donations from public or private relief or welfare organizations;

(c) Payments by VA of pension, compensation, and dependency and indemnity compensation;

(d) Payments under policies of U.S. Government life insurance or national service life insurance, and payments of servicemen's indemnity;

(e) Lump-sum social security death payments;

(f) Payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs equal to his contributions thereto;

(g) Amounts equal to amounts paid by a widow or child of a deceased veteran for—

(1) his just debts,  
(2) the expenses of his last illness, and  
(3) the expenses of his burial to the extent such expenses are not reimbursed by VA;

(h) Proceeds of fire insurance policies.

3. The income of the spouse (if not estranged) may count as the veteran's income. In determining annual income, where a veteran is living with his spouse, all income of the spouse which is reasonably available to or for the veteran except \$1,200 of such income, shall be considered as the income of the veteran, unless in the judgment of the Administrator to do so would work a hardship upon the veteran.

4. All waived income counts.

5. Discretionary authority for a finding on the net worth of the veteran or the widow or child which could lead to a determination that the applicant is not eligible for pension because of net worth.

6. Places World War II and Korean conflict widows and children on same basis as widows and children of World War I for purposes of pension eligibility.

7. The pension of a veteran being furnished hospital or domiciliary care by the Veterans' Administration will be reduced to \$30 a month after the expiration of 2 full

months but the Administrator may apportion to his wife or children the balance of the pension.

8. Under the savings provision, the amendments to title 38, United States Code, will not apply to pensioners on the rolls on the day before the effective date unless they seek and are granted pension under the amended title 38. Thus, no person on the pension rolls on the day before the effective date shall have his pension reduced or shall be removed from

the pension rolls because of the enactment. All persons on the pension rolls on the day before the effective date will be permitted election to the higher rates if they qualify under the new program.

9. Restores, for 1 year, the right of World War II veterans to apply for national service life insurance, with veterans paying administrative expense. This right was terminated April 25, 1951.

10. Effective July 1, 1960.

### Estimate of cost of H.R. 7650

[In thousands of dollars]

Year	Total		Living veterans		Deceased veterans' cases		Widow's equalization	
	As passed House	As reported in Senate	As passed House	As reported in Senate	As passed House	As reported in Senate	As passed House	As reported in Senate
1st.....	\$307,886	\$128,690	\$103,315	\$100,209	\$50,303	\$28,481	\$154,268	-----
2d.....	294,230	92,611	85,024	69,655	47,121	22,956	162,085	-----
3d.....	267,698	189,802	49,222	9,327	40,757	11,906	177,719	\$168,569
4th.....	227,900	101,050	14,481	1,811	31,211	14,670	201,170	186,884
5th.....	174,830	17,284	176,089	1,201,817	18,483	126,772	232,436	211,305
1970.....	307,830	45,474	153,616	1,222,531	12,784	162,603	364,229	330,608
1975.....	415,046	74,366	147,871	1,272,478	18,108	182,955	481,025	429,799
1980.....	502,934	45,188	195,278	1,402,835	120,023	185,433	618,235	533,506
1985.....	364,828	1,240,223	1,326,052	1,741,220	15,976	178,308	706,856	579,305
1990.....	105,772	1,657,060	1,666,629	1,1,207,701	11,235	175,209	783,636	625,910
1995.....	118,575	1,963,891	1,797,237	1,1,490,785	17,748	179,895	796,411	606,789
2000.....	125,514	1,1,075,908	1,826,966	1,1,511,491	31,876	187,457	733,357	625,020
Cumulative to 2000.....	10,128,140	1,10,974,960	12,383,149	1,26,831,937	1,231,366	1,2,604,577	22,742,655	18,461,554

<sup>1</sup> Savings under existing law.

### H.R. 7650, as amended by the Senate Finance Committee—Case analysis 1st year

	Total	Disability	Death
On rolls, present law.....	1,223,400	795,000	428,400
Increased.....	794,472 (64.9%)	515,287 (64.8%)	279,185 (65.2%)
Protected from decrease or termination.....	428,928	279,713	149,215
Added.....	49,072	26,072	23,000
On rolls under proposal.....	1,272,472	821,072	451,400

<sup>1</sup> Widows equalization not effective until the 3d year; an estimated 251,070 additional cases would be added to the rolls in that year as a result of equalization.

Hearings: House, May 9, June 4, 5, 9, and 10; Senate, July 28 and 29, 1959.

Reported: June 11, House Report No. 537; August 12, 1959, Senate Report No. 666.

Passed: House, June 15, 1959, by division vote 226 yeas to 34 nays.

### PENSION ELIGIBILITY REQUIREMENTS FOR AGE, DISABILITY, AND UNEMPLOYABILITY UNDER EXISTING LAW AND H.R. 7650

Under existing law (title 38, United States Code, and the Veterans' Administration's 1945 schedule for rating disabilities), veterans of World War I, World War II, or the Korean conflict are eligible for pension based on permanent and total non-service-connected disability. Pension is payable to any such veteran who served in the active military, naval, or air service for 90 days or more during the applicable period and who was discharged therefrom under conditions other than dishonorable, or who, having served less than 90 days, was discharged for disability incurred in service in line of duty. The veteran must have been in active service before the cessation of hostilities and be suffering from non-service-connected permanent and total disability not incurred as a result of his own willful misconduct or vicious habits. The rate is \$66.15 per month, except that where the veteran shall have been rated permanent and total and has been in receipt of pension for a continuous period of 10 years or reaches the age of 65 years and is permanently and totally disabled, the rate is \$78.75 per month. A rate of \$135.45 per

month is authorized in the case of an otherwise eligible veteran who is helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person. Such pension is not payable to any unmarried person whose annual income exceeds \$1,400 or to any married person or any person with minor children whose annual income exceeds \$2,700.

In the administration of the aforementioned provisions the determination of permanent total disability is made on a very liberal basis. Such a rating is granted (where the requirement of permanence is met) when there is a single disability of 60 percent or two or more disabilities one of which is 40 percent in degree, combined with other disability or disabilities to a total of 70 percent, and unemployment attributed thereto. Although age alone is not considered as a basis for entitlement to such pension, it is considered in association with disability and unemployment in determining permanent and total disability. The aforementioned percentage requirements are reduced on the attainment of age 55 to a 60 percent rating for one or more disabilities, with no percentage requirement for any one disability; at age 60 to a 50 percent rating for one or more disabilities; and at age 65 to one disability ratable at 10 percent or more. When these reduced percentage requirements are met and the disability or disabilities involved are of a permanent nature, a permanent and total disability rating will be assigned, if the veteran is determined to be

unable to secure and follow substantially gainful employment by reason of such disability. The requirements specified in this paragraph have been in effect since October 1948.

### GENERAL LEAVE TO EXTEND REMARKS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks at this point in the RECORD on the matter just disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

### LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The SPEAKER. The Chair appoints, as managers on the part of the House at the conference on the bill S. 1555, the following members: Mr. BARDEN, of North Carolina; Mr. PERKINS, of Kentucky; Mr. LANDRUM, of Georgia; Mr. THOMPSON, of New Jersey; Mr. KEARNS, of Pennsylvania; Mr. AYRES, of Ohio; and Mr. GRIFFIN, of Michigan.

### JOINT COMMITTEE ON WASHINGTON METROPOLITAN PROBLEMS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 59.

The Clerk read the Senate concurrent resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring), That S. Con. Res. 2, Eighty-sixth Congress, agreed to February 5, 1959 (continuing the existence of the Joint Committee on Washington Metropolitan Problems), is amended as follows:*

(a) The first section is amended by striking out "September 30, 1959" and inserting in lieu thereof "January 31, 1960"; and

(b) Section 2 is amended by striking out "September 30, 1959, which shall not exceed \$30,000" and inserting in lieu thereof "January 31, 1960, which shall not exceed \$55,000".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

### CONFERENCE COMMITTEE ON H.R. 4002

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin be excused as a conferee on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and appoints the following Member: Mr. MAILLIARD, of California.

The Senate will be notified of the change.



## THE COTTON TEXTILE INDUSTRY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, no industry, outside of coal mining, has had to fight so many challenges at one time, in its determined efforts to survive, as the cotton textile industry. In the higher prices paid for raw materials, and in the higher wages paid to employees, the domestic industry must work under a double handicap as it tries to compete with foreign producers.

At the same time, the foreign policy of the U.S. Government has succeeded, unwittingly, in further weakening the competitive position of the cotton textile manufacturing industry in the United States. Our foreign-aid program has helped other nations to build brand-new plants and equip them with the most modern machinery. Inadequate depreciation allowances have hampered our own industry's efforts to match these modernization programs.

Clearly, this industry needs help, and what better help than by making available to it some of the surplus cotton that the Government itself does not know how to dispose of. It is strange that this obvious and commonsense solution has not been adopted before now.

I am heartily in favor of the McIntire bill that will make available to the U.S. cotton textile industry part of this surplus in order to improve its competitive position. I believe that this bill, by providing 750,000 bales of surplus cotton in each of the 5 fiscal years starting with the present, and at prices that will enable the industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952, will assist, encourage, and stimulate our producers.

My home city of Lawrence, Mass., once depended exclusively upon one industry—textiles. That industry is now a minor segment of our local economy. One of the several reasons responsible for its decline was the indifference of the Federal Government to the problem, and its failure to provide legitimate help in time.

For the sake of the industry as a whole, I am happy to see that some remedial legislation is on the way, and I welcome this opportunity to endorse and support the constructive provisions of H.R. 4033.

## KHRUSHCHEV'S VISIT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I was shocked when I read in this morning's press the stories about the Department

of State's preparations for the welcoming ceremonies for Mr. Khrushchev.

It is unfortunate enough that the President has taken upon himself to play host to the chief tyrant of the Soviet colonial empire, and the supreme chief of the international Communist conspiracy. However, to extend to Mr. Khrushchev the most elaborate welcome this Nation is able to accord to any of its guests, is really adding insult to injury.

The tenor of the stories printed in this morning's press seems to imply that in staging the big production, our Department of State is trying to buy assurance for a similar welcome of our President when he visits Moscow.

What is overlooked, though, is the fact that, according to every international rule of courtesy, the President of the United States, as the head of a state, is entitled to a much higher degree of protocol than is Mr. Khrushchev who, technically and legally, is not the head of a state. It appears to me that the people of the United States would appreciate it if the White House and our Department of State would not get carried away by its enthusiasm for Mr. Khrushchev's visit.

## ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## DEFERMENT FOR INCOME TAX PURPOSES OF INCOME FROM SERVICE CONTRACTS

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, today I have introduced a bill to amend the Internal Revenue Code of 1954 and provide for the deferment of income from service contracts.

The so-called service contract has become an essential part of the distribution and sale of office and household equipment, transportation equipment, and many of the other products of American industry.

Under the conventional service contract, the service agency undertakes to maintain the equipment for a specified

period of time—1 year or longer—at a fixed charge usually payable at the start of the contract. In some cases, the transaction in reality is a form of insurance contract since no services are required unless there is a failure of the equipment. In other cases, where the equipment requires preventive maintenance, the service contract will also provide for preventive maintenance service calls at specified intervals over the life of the contract.

In plain, simple language this bill allows, for tax purposes, income from a service contract to be deferred over the period of performance of that contract.

For Federal income tax purposes there were no specific rules initially prescribed for the accounting of the income from service contracts. Accordingly, taxpayers on the accrual basis of accounting usually adopted a procedure whereby the income from such contracts was deferred or amortized over the period of time during which the taxpayer would be called upon to perform the services. As a matter of accounting, this method of accounting for service income is essential to avoid a distortion of income and expenses. However, on a case-by-case basis the Commissioner of Internal Revenue has compelled some taxpayers to adopt a different method of accounting whereby service income is reported when billed or accrued without regard to the obligation either to perform future services or to refund any unearned portion of the charge. Thus, within the same industry there are taxpayers accounting for service income under both the methods of accounting.

In the Internal Revenue Code of 1954, the Congress recognized the desirability of providing a basis for the accounting of service income for tax purposes which would be more in conformity with recognized accounting procedures—section 452, Internal Revenue Code of 1954. Subsequently, because of a concern that this provision, together with a corresponding provision permitting the accrual for a reserve for estimated expenses, might be extended beyond the scope intended by the Congress, both provisions were retroactively repealed—H.R. 4725, 84th Congress, 1st session, approved June 15, 1955. At that time, it was the stated intention of the Senate and House committees to enact other remedial legislation at the earliest opportunity. In recommending the repeal of sections 452 and 462, the report of the Committee on Finance, concluded, as follows:

Your committee desires to make its position clear that it expects to report out legislation dealing with prepaid income and reserves for estimated expenses at an early date. As indicated above, the existing rulings of the Treasury Department and the court decisions dealing with estimated expenses and prepaid income are now in such a state of confusion and uncertainty that in the opinion of your committee legislative action is required on these subjects. In addition, your committee believes that it is essential that the income tax laws be brought into harmony with generally accepted accounting principles. Moreover, your committee believes that the present status, where some taxpayers are able to

defer prepaid income while others are not, is inequitable and should not be allowed to continue. In order to eliminate this uncertainty and discrimination, definite rules must be written into the income tax law. For these reasons your committee plans to begin studies in the near future to devise proper substitutes for the sections now being repealed (81st Cong., 1st sess., S. Rept. 372, p. 5; see also 81st Cong., 1st sess., H. Rept. 293, p. 4).

In the Technical Amendments Act of 1958, the Congress recognized again the need for such remedial legislation to apply to the prepaid income from newspaper and periodical subscriptions—H.R. 8381, 85th Congress, 2d session, approved September 2, 1958. Section 28 of that act provided for the enactment of section 455 of the Internal Revenue Code specifically permitting taxpayers, at their election, to defer the reporting of prepaid subscription income over the period in which earned. As was explained in the report of the Committee on Finance, one of the reasons for the adoption of this amendment was that it was discriminatory or unfair to permit some publishers to defer the reporting of subscription income until the year of the subscription yet deny this treatment to other publishers—85th Congress, 2d session, Senate Report No. 1983, page 43. The same condition exists in the servicing of office equipment, and I believe also in other service industries. Some taxpayers have been permitted to continue a practice of reporting service income over the period of the service contract, while other taxpayers—particularly those just starting in business—have been required to report such income at the time that the charge is made.

In adopting a specific rule for the publishing industry, the Congress pointed out that the right to defer publication income had been sustained in *Beacon Publishing Co. v. Commissioner*, 218 F. 2d 697, decided by the U.S. Court of Appeals for the Tenth Circuit. In that case the reporting of subscription income over the term of the subscription contract was sustained as an essential element of the accrual basis of accounting. There since have been other decisions affirming this view as applied to the service industry in two other Federal courts:

*Schuessler v. Commissioner*, 230 F. 2d 722, decided March 14, 1956, by the U.S. Court of Appeals for the Fifth Circuit.

*Bressner Radio, Inc. v. Commissioner*, decided May 28, 1959, by the U.S. Court of Appeals for the Second Circuit (59-2 USTC 9496).

In view of the foregoing, and in order to eliminate the same inequities as between taxpayers that were the concern of the Congress at the time of the enactment of section 455 of the Internal Revenue Code, a similar provision applicable to the service industry is submitted for consideration.

#### THE DEATH OF PAT PETRONE

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Just as a leaf, wind whipped, falls from its tree of life, his soul suddenly fluttered away to reach a restful abode in God's eternity.

Mr. Speaker, so we lost a friend the other day—he loved life and lived it in every way. He never missed making a friend each day. His many kindnesses to others in distress marked him as God's own messenger of charity. Some say his goodness of heart hastened his departure. His every act was to serve others in their every need—as lawyer and public official he was ever at their service.

And so he died as he had lived—to the very end worrying about the problems of others, still undone, and awaiting his personal attention.

Thousands of persons attended the chapel—tears wet every eye—the proud and the humble, the weak and the strong came to honor him.

His was an eventful life, spent in service to those who needed a friend. There were so many of them that he died of exhaustion. Everyone said so and all knew it to be true.

There are times when we who live should understand that the single visit of God's messenger of death is the beginning of a new life—a new chance to serve again. And so it came to pass that our good friend, destined to a sudden departure from us, went his way to enter this new life.

It can be well said that a worthy public servant, imbued with a high sense of loyalty to duty for others will, in many hearts, live on after death. His works, so well done, are to be remembered.

And so it was with this great man who died before his time—God's will be done.

I remember Pat as a boy—a thin, spare little fellow with sparkling eyes and a happy, carefree way about him. Through all his life he was the same; lots of fun and always with a witty story chock-full of humor. Wherever he held forth, the air was crackling with jokes and rent with the laughter of his listeners. He loved to entertain his friends, and especially at American Legion conventions, State or National, Pat's parties were alive and sumptuous—everybody came.

His political cronies, friends, and comrade Legionnaires well know that he really lived a full life of constant activity. He was thorough in everything he did. He was serious and dynamic in his political activities and pressured every advantage for political recognition and gain, driving himself and his loyal coworkers beyond human endurance. He molded together a powerful political organization and delivered thousands of votes to his party at elections. He became a key leader, and rewarded his followers in their political aspirations.

He loved his work for the American Boys' Camp and his promotional programs for the completion of its facilities and permanency of its operation occupied his every hour. It was a natural reaction for a fatherless boy to grow up

with a complete understanding of the heartaches of the orphan. Pat loved kids, and did not spare words in castigating those who did not—Ruth and Pat had their own Rickie and assumed the responsibilities of loving parentage for gentle Patricia—Pat—and sweet Pamela—Pam.

His great sadness came the day of the Lady of the Angeles catastrophe—the burning of a parochial school in the area, with great loss of life—91 children and 3 teachers—sisters—died. He spent night and day at the county morgue, comforting the bereaved, hysterical parents and families, and personally aiding in the identification of their loved ones. He was consoling his people in their greatest tragedy and if ever the term "city father" meant anything, he proved it to God and man during this terrible, heart-rending ordeal, to say nothing of his visits to every one of the 20 chapels during the days of spiritual honor dedicated to the memory of children and teachers of a brokenhearted city.

Pat instilled confidence and hope with kind words that gave strength and courage to parents who were wishing for any excuse to end it all. He gave substantial sums to those in less fortunate circumstances. Only a person of high character, with a deep love and understanding of the human family, could have faced his bereaved neighbors and consoled them in their greatest trial—the loss of their little ones—some two, some three. It was a cruel experience for Pat and I honestly feel that he never physically or mentally weathered the depressive effects of this experience on his well-being. He bent his efforts with his comrades in Alamo Post of the American Legion, to raise a substantial fund for the hundred youngsters still in the hospitals undergoing treatment.

It is always down the aisles of a church that one reflects upon the truths of life and moral values. For Pat it became his pathway to the honor and glory of everlasting life.

Rev. Lawrence D. Kelly of St. Matthew's Catholic Church, in a touching sermon depicted the incidents, experiences and accomplishments of Pat's life. In warm and endearing terms, he spoke of his charity and ideals in life. He enumerated the sacrifices and travails of the dedicated public servant. It was a masterful treatment of a phase of human life that too often is looked upon with disdain and suspicion.

The cortege of numerous mourners from all walks of life, with merged feelings of sadness, honored Pat at the grave in Queen of Heaven Cemetery. The Rev. Philip Maloney officiated and the rites of the Catholic Church, followed by the American Legion ritual funeral services conducted by the officers and his comrades of the Alamo Post.

My sad task was to give the final eulogy at the grave for my dear friend and law associate. It was difficult to suppress the surging human emotions seeking their outlet in tearful expression for the great loss of ebullient Pat.

The Grimaldi Amvets Unit's firing squad drilled the final salute, and in the silence of this memorable afternoon, the



bugler lipped, with clear and vibrant notes, and then the echo of the distant notes softly resounding as the dying whisper of the fading memory of a fallen comrade. He lies there still, awaiting judgment.

Alamo Post has been renamed Patrick Petrone Post, he was its organizer and first commander. It is a signal honor to the memory of a great legionnaire, the star he was given for bravery on the field at Casino with the celebrated rangers will shine more brightly to his eager eyes of appreciation in heaven's glow.

He was well known to the Illinois Members of the Congress and through their good offices the following message was sent to his bereaved family:

JUNE 19, 1959.

MRS. RUTH PETRONE AND FAMILY,  
Care of Rago Funeral Home,  
Chicago, Ill.

DEAR MRS. PETRONE: In the sadness of this hour, we who loved and admired your distinguished husband and father, realize the great loss that has been suffered by all of our citizens, veterans, and officials in public service. His high sense of patriotism and self-sacrifice to his public duties were admired by everyone. He was a kindly, generous, and friendly man. His high sense of loyalty and deep appreciation of the needs of others marked him as a strong leader. His splendid services, together with his brilliant mind, were common knowledge to everyone. The loss of this great patriot and political leader has saddened the citizens of Illinois. His humanitarian work among children, wherein he took great leadership in sponsoring programs for their welfare and development, as the American Boys Camp, impressed his many admirers.

We can only say that you and your family contributed so much to his happiness and you must be proud of the great record and fine reputation of a loving father and husband, summoned by his Maker to receive his blessing.

His career would have led to higher places, but the inevitable will of the Almighty cut short his brilliant career. We loved him for what he was and we are proud that, in this life, we knew a real man who lived for others, did his duty to the citizens of Chicago and his ward, served his country in combat, and was honored by his country and his comrades. Every person who needed a friend knew that Pat would answer his call.

We, who loved him, mourn with you, his fine wife and family, in the passing of this great man. The Nation, the State, and the city of Chicago have lost one of their finest citizens. May we offer you, his loving wife and darling children, our deepest sympathy and sincere condolences.

ROLAND V. LIBONATI, CHARLES A. BOYLE,  
KENNETH J. GRAY, PETER J. MACK,  
BARRATT O'HARA, ROMAN C. PUCINSKI,  
GEORGE E. SHIPLEY, THOMAS J. O'BRIEN,  
WILLIAM L. DAWSON, JOHN C. KLUCZYNSKI,  
WILLIAM T. MURPHY, MELVIN PRICE,  
DAN ROSTENKOWSKI, SIDNEY R. YATES, Members of Congress.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BENTLEY, for 30 minutes, on August 20.

Mr. HEMPHILL, for 30 minutes, on August 18.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mrs. KEE.

(At the request of Mr. GRIFFIN, and to include extraneous matter, the following:)

Mr. CURTIS of Massachusetts.

(At the request of Mr. OLIVER, and to include extraneous matter, the following:)

Mr. FRIEDEL.

Mr. DINGELL.

Mr. NIX.

#### SENATE BILL REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 812. An act to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

S. 1105. An act to improve the land tenure patterns on the Fort Belknap Reservation; to the Committee on Interior and Insular Affairs.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 746. An act to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

#### ADJOURNMENT

Mr. OLIVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, August 17, 1959, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 2886. A bill to suspend for 3 years the import duties on certain classifications of spun silk yarn; with amendment (Rept. No. 897). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 6368. A bill to amend the Tariff Act of 1930 to place certain pumice stone on the free list; without amendment (Rept. No. 898). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 6579. A bill to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable

for use for tanning; with amendment (Rept. No. 899). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5892. A bill to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes; with amendment (Rept. No. 900). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6672. A bill to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation; with amendment (Rept. No. 901). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee on Post Office and Civil Service. H.R. 7758. A bill to improve the administration of overseas activities of the Government of the United States, and for other purposes; with amendment (Rept. No. 902). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAUND: Committee on Interior and Insular Affairs. H.R. 8587. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; without amendment (Rept. No. 903). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 8035. A bill to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pa., as the Gen. Edgar Jadwin Dam and Reservoir; without amendment (Rept. No. 904). Referred to the House Calendar.

Mr. NORRELL: Committee of conference. H.R. 7453. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes (Rept. No. 905). Ordered to be printed.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 300. An act to amend the act of August 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins, and of a representative of the Texas Board of Water Engineers; without amendment (Rept. No. 906). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 8678. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. SCHERER:

H.R. 8679. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. BUCKLEY:

H.R. 8680. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes; to the Committee on Public Works.

By Mr. BENTLEY:

H.R. 8681. A bill to provide for denial of passports to supporters of the international Communist movement, for review of passport denials, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOOLEY:

H.R. 8682. A bill to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior; to the Committee on House Administration.

By Mr. IKARD:

H.R. 8683. A bill to amend subchapter S of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 8684. A bill to amend the Internal Revenue Code of 1954 to provide for deferral of taxation of amounts withheld by a bank or finance company from a dealer in personal property to secure obligations of the dealer, until such time as such amounts are paid to or made available to the dealer; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 8685. A bill to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a General Counsel for Internal Revenue, to provide for the appointment of other officers for the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H.R. 8686. A bill to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a General Counsel for Internal Revenue, to provide for the

appointment of other officers for the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 8687. A bill to amend chapter 19 of title 38, United States Code, to permit the granting, for a limited period, of national service life insurance to veterans whose policies had been lapsed for less than 1 year when the granting of such insurance to veterans was terminated in 1951; to the Committee of Veterans' Affairs.

By Mr. RIEHLMAN:

H.R. 8688. A bill to amend the Internal Revenue Code of 1954 to provide for the deferment of income from service contracts; to the Committee on Ways and Means.

By Mr. WILSON:

H.R. 8689. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

By Mr. O'HARA of Illinois:

H.J. Res. 501. Joint resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. MOULDER:

H. Con. Res. 381. Concurrent resolution providing for certain priorities for the tem-

porary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 8690. A bill for the relief of Mr. and Mrs. Donald R. McLean; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 8691. A bill for the relief of Ceferino N. Southerland and Miguel R. Southerland; to the Committee on the Judiciary.

H.R. 8692. A bill for the relief of Lee Shu Lang; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

255. Mr. WAINWRIGHT presented a petition of Sons of Norway, Loyal Lodge No. 252, St. James, N.Y. asking that the Congress establish a national holiday to be known as Leif Erikson Day, which was referred to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### Report of Publisher of Ebony, Jet, and Tan Magazines on Visit to Russia

#### EXTENSION OF REMARKS

OF

### HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mr. NIX. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I have the privilege to include an account of the prominent Negro publisher who traveled to Russia in the Vice President's press party. Mr. Johnson is founder and president of the largest Negro publishing firm in the world. His company publishes Ebony, Jet, and Tan magazines which have a monthly circulation of an estimated 1½ million copies:

Any Negro who feels that communism is the solution to the race problem in the United States will be sadly disappointed if he takes a trip to Soviet Russia.

This is the opinion of John H. Johnson, publisher of Jet and Ebony magazines, who, with his wife, Eunice, was a member of the press group which accompanied Vice President Nixon on his recent trip to Russia and Poland. There are relatively few Negroes in the Soviet Union, and Mr. Johnson agrees with the Russian claim that it does not have a race problem. However, he is quick to point out that most of the privileges which we take for granted, such as freedom of speech and press and the right to own property, are not enjoyed by the Russian people.

The American Negro who wants better housing, more productive employment, and more individual opportunities will find that they are not available to him in Russia because they are not available to the majority of the Russian people.

Mr. Johnson does feel, however, that even though the Communist philosophy is not a good one for Negro or white Americans, there is no reason why the United States and Russia should not be friendly and peaceful. He believes that the Nixon trip contributed much to the development of friendly relations between the two countries and that further cultural and educational exchanges should be continued.

### A Rose by Any Other Name

#### EXTENSION OF REMARKS

OF

### HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mr. PORTER. Mr. Speaker, I see by the August 4, 1959, issue of Aviation Daily that "members of the Association of Local Transport Airlines have adopted a resolution to refer henceforth to subsidy payments as public service revenues. It is reported that the idea was first set forth by Allegheny Airlines which used the expression in its latest annual report. Reasoning is that subsidy is actually the cost of providing a public service."

A subsidy is a subsidy no matter what you call it. The only justification for any subsidy is that a public purpose is

served. Sometimes the public service aspect of the public service is rather direct and sometimes it is rather indirect. Sometimes it is nonexistent.

Subsidy payments may or may not be public service revenues. This is something that should be examined carefully and constantly in the interests of the taxpayer and the welfare of our country. I do not approve this attempt to obscure plain language by Madison Avenue sugar coating.

### Labor Reform Legislation

#### EXTENSION OF REMARKS

OF

### HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mr. FRIEDEL. Mr. Speaker, to eliminate any misunderstanding of my position, which may have resulted from my votes on the labor reform legislation passed by the House of Representatives, I think an explanation is in order.

I would like to begin by saying that I am well aware that labor reform legislation is necessary to prevent the continuation of the racketeering and corruption brought to light by the McClellan committee hearings. However, it must be borne in mind that this condition exists in only a minority of the unions; the vast majority of unions, their leaders and members are, like most people, fine, upstanding, law-abiding citizens.

The House Committee on Education and Labor held extensive hearings on all



pending labor reform bills and considered them for approximately 4 months. The bill finally reported by the committee, H.R. 8342, was the result of comprehensive consideration and was designed to do away with the evil practices of corruption, boycotting, hot-cargo handling, and blackmail picketing. It was also designed to protect the union members from being victimized by unscrupulous leaders and the general public from unscrupulous racketeers.

The Landrum-Griffin bills were introduced after the committee reported its bill and did not have the benefit of committee hearings and consideration. Although these bills were widely discussed and debated, I sincerely doubt that they were given sufficient consideration to secure a comprehensive understanding of their impact. Personally, I believe this is a punitive measure.

Passage of the Landrum bill was, I believe, a result of appeal to emotions, rather than logic and common sense. These were my reasons for voting against this measure when it was offered as a substitute for the committee bill.

When the Landrum bill came up for final passage, I voted in favor of it, knowing that some labor reform legislation was needed and should be enacted. This bill will now go to conference to iron out the differences between the Senate- and House-passed versions. I hope a reasonable and sensible solution to the problem will be achieved which will result in a bill that is fair and just to the unions, union members, and the welfare of the Nation. Such a bill should not penalize the vast majority of unions and union members who are not guilty of illegal and reprehensible practices and, at the same time, should curb the evils pointed out by the Senate Rackets Committee.

#### Keenotes

#### EXTENSION OF REMARKS

OF

**HON. ELIZABETH KEE**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mrs. KEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD and include a copy of my newsletter released today:

KEENOTES BY REPRESENTATIVE ELIZABETH KEE

The present session of Congress is rapidly drawing to a close. The goal for adjournment fixed by the leadership is September 5, but it is likely that we will have to remain here until the middle of September to dispose of a large list of remaining bills.

One thing which is aiding the push for adjournment is the forthcoming visit of Premier Khrushchev, of Russia. If Congress is in session when he arrives, it will be difficult not to invite him to address a joint session. Yet many Members feel that an appearance before Congress might be a big mistake and, therefore, they hope we can adjourn before he arrives.

This has been a busy session and Congress has acted on many important issues, some of them highly controversial. But I am afraid that we will leave Washington without acting on several bills which should have immediate attention.

Legislation to aid distressed areas has passed the Senate but is languishing before the House Rules Committee. If the bill ever comes to the floor, I am confident it will be passed. But the present outlook is not too favorable. Failure to pass the bill will mean that we will have to delay another year a cooperative program to rehabilitate areas with persistent and heavy unemployment.

Congress must not adjourn without passing legislation to continue the interstate highway building program. At present, there is much disagreement on proposals for raising new money to finance the program this year but I am sure that with the roadbuilding programs of all the States adversely affected, some satisfactory solution will be reached.

Also, it is imperative that Congress pass new housing legislation. In a surprise move the Senate this week decided to try to override the President's veto of a bill passed earlier this year. The move failed, as everyone expected it would. Now the question is whether Congress and the President can agree on a housing bill in the short time remaining in this session.

Congress also has a duty to do something this session about the farm problem. It is obvious at this point that a general farm bill which would make a start on reducing the tremendous surpluses now on hand will not be passed. I regret to see Congress evade this serious issue. It is costing more than \$1 million a day just to store commodities now on hand and big crops this year will add quite a bit to this cost.

At least Congress should pass legislation to strengthen the research program of the Department of Agriculture so that new uses can be found for our farm commodities. I am firmly convinced that this is the only long-range answer to the farm problem. I am sure our scientists can develop new industrial uses that will require large amounts of wheat, corn, cotton, and other commodities. I have a bill now pending which would provide a good start toward this goal. There is still time to act if Congress will face up to this difficult task.

Although time may be running out, there are many important legislative matters yet to be disposed of. This means that the remaining days will be extremely busy ones for Members of Congress.

#### Red China and the United Nations

#### EXTENSION OF REMARKS

OF

**HON. LAURENCE CURTIS**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1959

Mr. CURTIS of Massachusetts. Mr. Speaker, in extension of my remarks, I enclose my newsletter of May 27, 1959, which discusses the admission of Red China into the United Nations, as follows:

Should the United States recognize Red China and support her admission to the United Nations? Certainly not for the present, in my opinion. The question was discussed in a recent speech by Hon. Walter S.

Robertson, Assistant Secretary of State for Far Eastern Affairs. He described the situations as follows:

The Chinese Communists conquered the mainland of China in 1949, and the Government of the Republic of China withdrew to Taiwan (Formosa). The Chinese Communists were at first mistakenly thought by some to be merely agrarian reformers, but proved to be ardent Communists. "The Peiping (Communist) regime was imposed by force with the volition of only an infinitesimal fraction of the Chinese people. . . . It has kept itself in power by blood purges and the liquidation of some 18 million mainland Chinese in 9 years."

The Far East is a critical area in the global struggle between East and West, American policy there is to encourage the newly independent, lesser developed countries to make progress in the ways of freedom, without falling within the orbit of the Communist bloc, and to build up our Far Eastern allies and friends. It opposes the further spread of Chinese Communist influence, and supports the non-Communist Government of Nationalist China.

Our recognition of Red China would on the contrary strengthen Red China by greatly enhancing her international prestige, and would weaken Nationalist China. "It would, as a practical matter, mean the liquidation of the Republic of China." From this would flow the following results:

(1) The strategic position of the free world would be weakened by the loss of Nationalist China's 600,000 troops in Taiwan, with resultant Communist military threat to Japan, the Philippines, and southeast Asia.

(2) Other Asian nations would feel that they could no longer rely on the protection of the United States against the Communist threat, and would have no alternative but to come to terms with the Red Chinese colossus. There would be a rapid expansion of communism throughout Asia, and America's moral position would suffer irreparable damage.

(3) It would blot out any rallying point in the world for non-Communist Chinese, and deliver Taiwan's 10 million people to the slavery of the mainland.

Of the 13 countries of the Far East, only 3 have recognized Red China. It has long been our policy in granting recognition to consider whether such action would be in the best interests of the United States, and whether the country seeking recognition had shown a willingness to live up to her international obligations.

Recognition of Red China would not be in the best interests of the United States for reasons given above, and Red China has not shown a willingness to live up to her international obligations.

When the Red Chinese gained control of the mainland of China in December 1949, they repudiated the international obligations of China, and confiscated, without compensation, properties of other nationals valued in the hundreds of millions of dollars. Communist China has flagrantly violated her armistice agreements both in Korea and Indochina, and her agreements for the release of American prisoners.

The admission of Red China to the United Nations is governed by the terms of its Charter. After due consideration, those terms were framed to provide not for universal membership, but for membership of "peace-loving nations willing to assume and live up to the obligations of the Charter."

The record shows that Communist China is not a peace-loving nation, but is an outlaw regime. It invaded Tibet. It took part in the aggression against South Korea. It is still threatening war in the Taiwan Strait.